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October 1, 2007

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CITY & COUNTY OF S.F. PLANNING DEPARTMENT

San Francisco Planning Department
Attn: Paul Maltzer, Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Sent Via E-Mail on 10.01.07
(wsip.peir.comments@gmail.com)

RE: EAST BAY REGIONAL PARK DISTRICT (EBRPD) COMMENTS ON SFPUC WATER SYSTEM IMPROVEMENT PROGRAM (WSIP) DRAFT PEIR

Dear Mr. Maltzer:

Thank you for providing East Bay Regional Park District ("District") with a copy of the Draft Program Environmental Impact Report (DPEIR) for San Francisco Public Utilities Commission's (SFPUC) WSIP Project. The District owns or manages several parks that abut San Francisco Water District (SFWD) watershed lands and leases 3,812 acres of land from SFPUC as part of the Sunol and Ohlone Regional Wilderness parks. Scoping comments were previously submitted to SFPUC by the District for the following projects that are directly or indirectly related to the WSIP Project:

- October 12, 2005 - Scoping comments for SFPUC Water System Improvement Program.
November 9, 2005 - Scoping comments for SFPUC Calaveras Dam Replacement.
August 16, 2007 - Scoping comments for SFPUC Habitat Reserve Program.
September 4, 2007 - Scoping comments for Sunol valley Water Treatment Plant.

The District's Master Plan establishes its commitment to preserve natural and cultural resources, open space, parks and trails for enjoyment and recreation for generations to come. Changes to management practices or construction of new facilities within the watershed could affect the resources the District manages in and around SFWD's

Board of Directors

Table with 8 columns: John Sutton (President, Ward 2), Aya Wierskamp (Vice-President, Ward 5), Ted Ristic (Treasurer, Ward 7), Doug Siden (Secretary, Ward 4), Beverly Lane (Ward 6), Carol Severin (Ward 3), Nancy Skinner (Ward 1), Pat O'Brien (General Manager).

watershed lands. Based on the project description, analysis and maps provided in the DPEIR ("PEIR"), WSIP projects associated with the Sunol Valley Region and projects contributing to biological and water quality impacts to Alameda Creek are of particular concern to the District for managing resources in the following regional parks:

- 1. Sunol Regional Wilderness 6,858 acres
2. Ohlone Regional Wilderness (including camp Ohlone) 9,736 acres
3. Mission Peak Regional Preserve 2,998 acres
4. Vargas Plateau Regional Preserve 1,030 acres
5. Quarry Lakes Regional Recreation Area 538 acres
6. Coyote Hills Regional Park 978 acres
(Total: 22,138)

The District has extensive experience in managing and enhancing natural and cultural resources and open space on more than 97,000 acres of land and 1,100 miles of trails in Alameda and Contra Costa County. We recognize the SFPUC's commitment to provide a reliable water supply to its customers and the challenges it faces in constructing and operating the infrastructure needed to meet this demand in a fashion that minimizes impacts on the environment. In continuing with its cooperative relationship with SFPUC in managing open space and watershed lands, we provide the following comments for consideration under the California Environmental Quality Act for the Water Supply Improvement Program:

I. Recreation:

The PEIR establishes significance standards related to recreation and considers that implementation of the proposed program would have a recreational impact if it were to cause environmental impacts (such as air quality or noise effects) that would indirectly result in deterioration in the quality of the recreational experience (PEIR, P. 4.12-17). In determining whether project impacts may deteriorate the quality of the recreational experience it is necessary to understand the types of activities that are associated with the "recreational experience". Our Master Plan describes recreational activities that its park users experience while enjoying the lands it manages - these activities include nature appreciation, hiking, biking, equestrian use, camping, picnicking, photography, painting, and birding. Any disruption or deterioration of park users experience while engaging in these activities is of concern to the District and may result in a significant environmental impact under CEQA.

The PEIR does not recognize that there are several impact categories, such as traffic, air quality, visual/aesthetics, biological resources and noise that could disrupt or deteriorate the experience of park users as a result of the project. Other than a brief discussion of construction impacts in Volume 2 (PEIR, p. 4.12-18) and combined recreational and visual/recreational impacts in Volume 3 (PEIR, PP. 5.4.7-1 and 5.4.7-5), in determining the potential effects on recreational resources, the PEIR relies on the conclusions of impact findings from sections of the report that do not specifically evaluate the project's impacts on recreational resources. The PEIR's analysis of recreational impacts could be improved to help the public better understand and evaluate potential indirect environmental impacts

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the project may have on recreational resources. The District offers the following comments regarding the projects potential impacts on recreational resources:

1. Traffic -

a. Temporary closure of Calaveras Road between Geary Road and Felter Road to through traffic during construction of the Calaveras Dam project could impact recreational resources as follows:

- i. Park visitors currently enjoy a scenic drive when they come to visit Sunol Regional Wilderness with little or no congestion or delay. The proposed road closure would block access to the park from Santa Clara County and eliminate this secondary access route to the park. This alternate route is also a desirable route for nature viewing.
- ii. Closure of this secondary access route coupled with an increase in traffic volumes with up to 50 -190 worker vehicle trips (PEIR, P. 4.8-18) and up to 180 a.m. and p.m. peak hour truck trips would present a formidable obstacle to park users attempting to access the park. This considerable increase in traffic volume could discourage park users from visiting Sunol and Ohlone Regional Parks because of congestion, delay and associated road hazards. The impact of the road closure and increased vehicle trips on park users should be evaluated in the PEIR at a programmatic level for collective and cumulative impacts and at the project level in subsequent CEQA analysis.
- iii. The PEIR may not provide enough programmatic information to establish performance standards from which future project specific CEQA analysis can draw from. A range of mitigation measures should be identified at the program level to minimize these impacts to park visitors. Some of these measures should include:

- 1. Consulting with EBRPD to evaluate the vehicle/visitor demand to Sunol Regional Wilderness and incorporate these findings into the traffic control plan for each project utilizing Calaveras Road for construction. The traffic control plan should recognize peak demand hours for park use and minimize its traffic volumes to not overlap with these hours. This may require that construction traffic be significantly restricted or prohibited during holidays and weekends.
- 2. Prohibit or restrict construction traffic for the Calaveras Dam Replacement project (SV-2) from using Calaveras Road from the north.
- 3. Requirement that SFPUC be the sole agency responsible for notifying the public of the proposed closure of Calaveras Road.

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SFPUC should provide proper signage at appropriate locations, informational pamphlets and displays for park users at informational kiosks and other outreach efforts (newspaper, radio and television press releases).

4. SFPUC should provide us with an opportunity to review and comment on the traffic control plan for each project impacting this area and coordinate public outreach and information/ notification of road closures with us well in advance of closures. Public notification efforts should also identify the specific locations, durations and alternatives means of access to public trails.

iv. Most of the construction related traffic impacts related to this road closure are concluded to have a less than significant impact with mitigation because of the temporary nature of the impact. It is unclear from the PEIR if the closure will be for two to three (PEIR, P. 4.8-12; P. 4.3-15) years or two years (PEIR, P. 4.8-22). In order to ensure certainty as to the temporary nature of this closure, a performance based mitigation measure should be adopted for when the road must re-open. Without such standard, insufficient information is provided on the temporary nature of these impacts.

v. It is unclear which trails will be restricted due to the closure of Calaveras Road (PEIR, P. 4.8-22) – more information should be provided in the PEIR for trail users to better evaluate and understand how the project will restrict trail use and how this impact will be mitigated to a less than significant level.

b. The increase in traffic volumes from construction activities, especially truck trips on County roads and local streets, could rapidly accelerate the deterioration of roadway surfaces along haul routes. The PEIR should address how these roadway surfaces will be maintained in good condition during and after the project is completed.

c. Mitigation Measure 4.16-6c does not provide a level of certainty that traffic impacts could be mitigated with the implementation of a traffic control plan because it provides too much flexibility for whether or not identified standards for the plan are required or optional (PEIR, P. 6-33). The measure says that these standards "could" include. The words "shall include but not be limited to" would result in a more predictable outcome of successfully implementing this mitigation measure.

2. Air Quality – Levels of fugitive dust and criteria pollutants will drastically exceed BAAQMD significance thresholds (PEIR, P. 4.9-24) as a result of the project. The District recognizes that for the purpose of the PEIR sensitive receptors are generally associated with certain land uses (schools, day-care centers, hospitals & convalescent homes). However, because of the close proximity of the construction

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and associated vehicle traffic to Sunol and Ohlone parks, sensitive receptor consideration should be given to park visitors such as children, the elderly and active persons engaged in strenuous exercise that use the parks. Poor air quality and associated health risks may diminish the recreational experience of park users. The PEIR should analyze this potential impact at a programmatic level and provide mitigation for this potential impact in order for park users (especially young families, the elderly and joggers/cyclists) to better understand and evaluate the air quality impacts of the WSIP.

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3. Visual/Aesthetics - Park visitors are attracted to the natural beauty and views they enjoy and experience in the parks and surrounding areas. Any actions that may diminish this experience may have a significant impact on recreational resources. The PEIR recognizes that distant views of SFPUC facilities may be available from public trails in the Sunol Regional Wilderness (PEIR, 4.3-2). However, it does not recognize these views as visual resources in its impact analysis (PEIR, P 4.3-8). Given the broad range of projects that could alter views from the Sunol and Ohlone parks, the PEIR and subsequent project level CEQA review should recognize views from these parks as visual resources and minimize project impacts to these resources.

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Using the Alameda Watershed Management Plan (WMP) design guidelines may not sufficiently mitigate for visual/aesthetic impacts resulting from the WSIP because the WMP serves as guideline document without any clear substantive requirements for preserving visual resources – the goals and policies section of the WMP do not provide any guidance on how to apply its subjective design guidelines in a fashion that would result in the protection or preservation of visual/aesthetic resources. Where known visual impacts will occur but the exact location and design has not yet been established, such as with the Calaveras Dam Replacement project (including the borrow site & haul road), the PEIR should establish citing criteria or designate generally acceptable locations for siting/placement of these projects.

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Policy WA-9 of the WMP requires that if new facilities require additional new locations that view shed studies be conducted to minimize, eliminate or conceal the violation of scenic values. The PEIR evaluates the applicability of this policy on page 5.4.7-4 and concludes that since no new facilities are required for the project that view shed studies are not required. This conclusion may be true for most of the WSIP, however, for the Calaveras Dam replacement project, construction impacts will result in the permanent loss of riparian natural communities in the vicinity of the new dam and associated roads, staging areas and borrow site (PEIR, P. 4.6-55). Although not technically a new facility location, the impact area necessary for the construction of this project is well beyond the original facility location and should require a view shed study as called for by WMA, Policy WA-9. EBRPD should be consulted to assist in determining the locations from which this view shed analysis should be conducted for views from District managed lands.

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4. Biological Resources – In its effort to maintain the recreational experience of its park users, we are actively involved in management activities aimed to preserve existing plant life and fish and wildlife habitat in the parks we manage and

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surrounding watersheds. Reduced flows in Alameda Creek as a result of the project (PEIR, P. 5.4.7-5) is of particular concern to us because we operate and manage several parks that feature Alameda Creek as a focal recreational feature (Sunol, Coyote Hills, Quarry Lakes and Vargas Plateau). Maintaining flows in Alameda Creek to maximize benefits to amphibians and anadromous fish species in Alameda Creek is a priority for the District. The adopted Land Use Plan for Sunol and Ohlone Wilderness Regional Preserves calls for the District to coordinate the timing of water releases for the Calaveras Dam with the SFPUC to maximize the benefits to these species. In addition to considering the recommendations of the Alameda Creek Fisheries Restoration Workgroup, as part of mitigation measure 5.4.5-3a, the SFPUC should consider giving us an opportunity to review and comment on the operation plan for establishing minimum flows for resident trout in Alameda Creek. This cooperative effort will ensure that the resource management efforts of the District and SFPUC are coordinated in a fashion that best preserves and enhances these resources.

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The PEIR concludes that the project would result in permanent loss of sensitive riparian natural communities (PEIR, P. 4.6-55) and that implementation of mitigation measures for these impacts would compensate for these impacts. The SFPUC's Habitat Reserve Program was identified as an option for implementing offsite habitat compensation (PEIR, P. 4.6-56). We would like to reiterate our concern over the use of lands already conserved and managed for watershed protection for use as habitat mitigation lands for new capital projects (also see the August 16, 2007 EBRPD Notice of Preparation comment letter for the Habitat Reserve Program). Preservation can be a feasible means for reducing the impact of lost habitat; however, using already protected watershed lands that are already effectively managed for habitat protection (as a result of watershed and water quality management objectives) would result in a net loss of the resource. Therefore, any proposed use of existing SFPUC watershed preserve land for mitigation for project impacts may be considered inadequate under CEQA unless the mitigation were to rehabilitate or enhance disturbed or marginal habitat areas within the watershed.

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The effectiveness of conservation easements over private lands may be insufficient for ensuring long-term management and enhancement of habitat due to the difficulty associated with enforcing land use restrictions on present and future property owners. In addition, public access is generally not allowed on such lands, even when acquired with public funds. Fee purchase of mitigation lands will ensure that there are no problems enforcing land use restrictions and assuring that long-term management can occur.

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5. Noise - An increase in 5dB CNEL over existing noise levels is generally considered a significant noise impact. The PEIR should evaluate noise impacts to park users in this context. Construction activities and increased traffic volumes should be evaluated for noise impacts to park users where haul roads or construction activities will be audible from parks.

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II. General Comments:

- 1. The PEIR should recognize that regional parks have land use plans that guide the management of our parks. 19
- 2. The PEIR should address if some of the WSIP projects would need an encroachment permit from EBRPD where access is needed to District owned properties and trails (lands that are not leased by EBRPD from SFPUC) - it is unclear from the maps provided if any WSIP project will encroach onto District property (also see comment II.3 below). 20
- 3. The PEIR states that the Irvington Tunnel (SV-4) would tunnel below a portion of Mission Peak Regional Park (PEIR, P. 4.12-23), however, the maps provided indicate that this project is nearly a mile north of Mission Peak Regional Park. This statement should be clarified in the PEIR and sufficient mapping detail should be provided to show where the tunnel will cross under Mission Peak Regional Park. Providing this information will help the District evaluate the potential impacts of this crossing and determine the ownership of this portion of the park and types of approvals that may be needed. 21
- 4. Mitigation measure 4.5-4b is intended to prevent potential flooding impacts associated with the Alameda Creek Fishery Enhancement (SV-1). It is unclear from the project description what the project will actually involve or where it could be located. As a result, there is insufficient project detail in the PEIR to demonstrate that project impacts associated with SV-1 can be mitigated with the proposed mitigation measures. Construction of a diversion dam or concrete weir could alter the drainage of surface flows in Alameda Creek, causing flooding or siltation (PEIR, P. 4.5-39) – this impact cannot be evaluated without basic essential information such as the location of the proposed project. This deficiency may be augmented by including in the project description or as an additional mitigation measure siting criteria or generally acceptable sites that could accommodate the project without causing flooding or siltation. 22
- 5. Our public safety division provides fire and law enforcement/police services district wide - the Public Services and Utilities chapter of the PEIR should recognize this and include EBRPD Fire Department in the list of agencies SFPUC will coordinate with for fire suppression planning and response for construction activities, including the review and approval of traffic control plans (Mitigation Measure 4.8-1). 23
- 6. Based on the information provided in the PEIR, it appears that the borrow and spoils area will be located at the south end of the Calaveras Reservoir on north and east facing slopes. The PEIR should use this information to more accurately disclose the Calaveras Dam project's programmatic impacts to biological and visual/aesthetic resources. This conclusion is based on information provided in the PEIR where the location of the borrow area is identified as being at the south end of the Calaveras Reservoir (PEIR, P. 4.10-19) and north and east facing slopes in the immediate vicinity of the dam (PEIR, P4.3-38). 24

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III. Clarifications/Corrections:

- 1. Reference to the WSIP Habitat Reserve Program (HRP) appears to be incorrect on page 6-55. Section 3.11 (Proposed Construction Schedule) is referenced for the WSIP – the correct reference is Section 3.12.3 (Page 3-84). 25
- 2. Page 5.4.7-1, "Alameda Creek Recreation and Visual Quality" – the PEIR does not disclose that Alameda Creek is adjacent to Vargas Plateau Regional Preserve, Quarry Lakes Regional Recreation Area and Coyote Hills Regional Park. These parks should be considered in the impact analysis. 26

We look forward to continuing our long established cooperative working relationship with the SFPUC in managing open space and watershed lands in the East Bay. We requests a copy of the FEIR when it becomes available (one hard copy and CD are preferred). Thank you for the opportunity to comment on the Water System Improvement Program Draft PEIR and the SFPUC's consideration of our comments. If you have any questions or comments, please contact me at (510) 544-2627.

Sincerely,

 Chris Barton
 Senior Planner
 Environmental Review/GIS Department



City of Foster City

ESTERO MUNICIPAL IMPROVEMENT DISTRICT

810 FOSTER CITY BOULEVARD
FOSTER CITY, CA 94404-2222
(650) 286-3200
FAX (650) 574-3483

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October 1, 2007

Mr. Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street
Suite 400
San Francisco, CA 94103-2479

Subject: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR
THE SAN FRANCISCO PUBLIC UTILITY COMMISSIONS (SFPUC)
WATER SYSTEM IMPROVEMENT PROGRAM - (PLANNING
DEPT. FILE NO. 2005.0159E)

Dear Mr. Maltzer:

The Estero Municipal Improvement District (EMID), representing 35,330 residential customers and 25,356¹ employees and business users thank you for the opportunity to comment on the Draft Program Environmental Impact Report for the San Francisco Public Utility Commissions Water System Improvement Program - (Planning Dept. File No. 2005.0159E).

One goal of EMID's stated Policy Calendar is to "Pursue Reliable and Uninterruptible Alternative Sources of Water Supply" and the proposed Water System Improvement Program (WSIP) will help achieve this goal.

We have over 35,000 residential customers and 25,000 employees and business users that rely 100 percent on the SFPUC water supply. With the probability of a major seismic event occurring within the next 30 years, we encourage the retrofit work to begin immediately as a defined Capital Improvement Project system rehabilitation program.

The following are our specific review comments on referenced Tables and text:

TABLE 3.3 Summary of Water Supply Assumptions & 2030 Demand Projections (page 3-18)

On March 1, 2004, the EMID Board of Directors gave concurrence to the SFPUC Capital Improvement Program Wholesale Customers Demand Projections.

¹ Table E3.4 (page E.3-6 of DEIR for year 2005)

Mr. Paul Maltzer, Environmental Review Officer
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The concurrence form was submitted to the SFPUC in February of 2004 and the 2030 demand projection was approved for 6.8 MGD not a range of 6.20 – 6.80 MGD, this should be noted on all of the subsequent Tables that reference the range of Demand Projections. (Table 3.4; Table 7.2; Table 7.3; Table E.1.1; Table E.2.1 and Table E.2.6).

Text Comments:

Estero MID (page 7-43)

It is correctly noted that EMID and the City of Foster City city limit /boundary lines do not coincide.

This point is referenced to reinforce the text reference on page 7-43 as follows:

"The difference between the demand study and general plan projections is "probably" due both to the general plan's horizon of 2010 and the fact EMID serves more than Foster City".

Based on the above, all of the Tables and text references of the population of the City of Foster City should not be used to calculate the projected water demand. All water demands and projected flows include Foster City and the portion of the City of San Mateo that is east of the Marina Lagoon. This area within the City of San Mateo includes residential, hotels, commercial/retail and office use.

General Comments:

EMID staff supports the Modified WSIP and concurs that it meets the WSIP goals with less environmental impacts. In addition, the adoption of the 10% rationing goal rather than the 20% goal is a much more desirable approach since our residents and business community relies on the SFPUC for its entire water supply.

EMID recognizes the challenges of even a 30 to 90 day water outage scenario and the threat to the public health, safety and economic impact. EMID has been working with the San Mateo County Office of Emergency Services to develop an Emergency Sanitation Annex Plan to address an extended water outage event. The importance of the complete rehabilitation of the Hetch Hetchy system cannot be ignored. Staff will continue to monitor and develop the Emergency Sanitation Annex Plan as it relates to a long-term water outage and the community sanitation needs.

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Mr. Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
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Thank you for the opportunity to comment on the Draft EIR, we look forward to its implementation. If you need any clarifications to the above comments, please do not hesitate to contact me at 650-286-3270.

Very truly yours,

Ramon M. Towne, P.E.
Director of Public Works

cc: James C. Hardy, District Manager
Richard Marks, Community Development Director
Norm Dorais, Maintenance Manager
Ignatius Nelson, Water Superintendent
Art Jensen, General Manager, BAWSCA
Nicole Sandkulla, Senior Water Resource Engineer, BAWSCA

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Diana Sokolove <wsip.peir.comments@gmail.com>

City of Fremont Comments - Draft PEIR Water System Improvement Program

1 message

Rene Dalton <rdalton@ci.fremont.ca.us>
To: wsip.peir.comments@gmail.com

Tue, Oct 9, 2007 at 10:24 AM

Dear San Francisco Planning Department,

Thank you for the opportunity to comment on the Draft PEIR Water System Improvement Program. The City apologizes for the late submittal of these comments and hope that this submittal could still be considered. The City comments regarding the Draft PEIR Water System Improvement Program Project are as follows:

- 1. Page 4.8-13, Bay Division Region, first paragraph of the document calls for the use of cut-and-cover method for construction across major arterial streets in Fremont such as Mission Boulevard, Paseo Padre Parkway and Fremont Boulevard. City of Fremont recommends that the project consider as a first alternative jack-and-bore method at all arterial streets in Fremont and cut and cover method for residential streets. 01
- 2. Traffic Control Measures in addition to SFPUC Construction Measure #5 should include City Standard requirements such as CA MUTCD and 2006 Caltrans Standard Plans. 02
- 3. Application for encroachment permit and traffic control plan review shall be submitted two (2) months in advance to the City of Fremont. Enclosed for applicants information and use are the City of Fremont Encroachment Application and Fremont staff contact information or see the following link: 03
<http://www.fremont.gov/Permits/EngineeringPermits/default.htm>
- 4. Closure of bicycle trails and maintenance access road if there is no way to re-route the traffic at north of Paseo Padre Parkway should be coordinated with City staff, Afshin Abtahi, 510 494-4724. 04
- 5. Site specific plans must be submitted for all work within City limits impacting the City's transportation network. 05

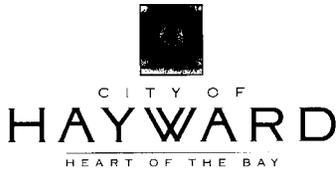
Thank you for the opportunity to comment on the Draft PEIR Water System Improvement Program. If you have any questions or need additional information please contact me directly.

Sincerely,

Rene Dalton
City of Fremont
Transportation & Operations Department
39550 Liberty Street
P.O. Box 5006
Fremont, CA 94537-5006

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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

September 17, 2007

Mr. Paul Maltzer
Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Comments on the Water System Improvement Program Draft Program
Environmental Impact Report – San Francisco Planning Department File No.
2005.0195E – State Clearinghouse No. 2005092026

Dear Mr. Maltzer:

This letter is to provide comments on the above referenced Program Environmental Impact Report (PEIR) for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP). The PEIR was prepared in accordance with the California Environmental Quality Act and is now undergoing the requisite public review and comment process prior to certification. As one of the largest wholesale customers of the regional water system, Hayward has a keen interest in the certification of the PEIR and in the expeditious implementation of the system improvements, and thus offers the following comments in the spirit of cooperation and support.

The regional water system provides 100% of Hayward's water system supply to its 146,000 residents, two hospitals, over 30 educational facilities, including a state university and a community college, government centers, and numerous commercial and industrial entities. A reliable supply of water is fundamental to the health, safety, and economic well-being of our community. Hayward has taken many steps to improve its distribution and storage facilities, investing significant resources into seismic upgrades and reinforced pipelines. Now we are urging SFPUC to take the lead to increase the delivery reliability of the regional system and to take the next major step in this process by certifying the PEIR at the earliest possible date.

General Comments

We would first like to offer comments about the overall PEIR document. We recognize that the CEQA PEIR process functions to provide information about potentially significant environmental affects of the WSIP and possible means of reducing or

eliminating those impacts. The process is not intended to evaluate the merits of the program per se. However, the Draft PEIR can and should convey the urgent need to address the system reliability issues given the severe health, safety and environmental harm that could result from uncontrolled releases of water from reservoirs and large pipes. The potential impacts are acknowledged in the 2002 Assembly Bill 1823, the Wholesale Regional Water System Security and Reliability Act, which obligates the SFPUC to implement certain improvement projects. More recently, the severe adverse consequences and devastating environmental impacts of delayed maintenance and upgrades have been seen in catastrophic events such as Hurricane Katrina and the collapse in Minneapolis of the I-40 bridge over the Mississippi River.

In Hayward's opinion, construction of the improvements needed to improve the reliability of the water system is the most critical aspect of the WSIP. The PEIR correctly points out that much of the SFPUC regional water system was constructed in the early 1900s, and is at risk for system failure. The regional system crosses a number of earthquake faults, and yet many of the facilities do not meet current seismic standards. The regional system has already been required to significantly reduce storage in the Calaveras Reservoir due to seismic safety hazards. Additional redundancy in some critical facilities is needed to increase the reliability of water delivery, particularly in the event of an earthquake. And, while the system currently meets or exceeds existing water quality standards, upgrades are needed to maintain compliance with current and anticipated standards. The projects to address these urgent problems need to be placed on the critical path.

The WSIP also includes projects to provide additional water supplies to meet estimated future demand. Although Hayward's projected water consumption is expected to increase, for reasons that will be further explained, we consider the development of additional water supplies to meet demand in 2030 to be less urgent at this time. We acknowledge that there are issues to be resolved among various stakeholders regarding future demand, but given that the future demand is based on 2004 projections and long-term forecasts, and that the full demand is not expected to be realized for some 23 years, there is sufficient time to work through mutually agreeable solutions and develop appropriate agreements. We urge the SFPUC not to delay the certification of the PEIR and implementation of critical reliability projects due to issues related to future demand.

Hayward-Specific Comments

The PEIR correctly states that Hayward's projected demand in 2030 is substantial and higher than the projected growth in population and employment alone. It is important to note that Hayward's demand projections were prepared in accordance with the methodology used to estimate future demand from all wholesale customers. Hayward, like many other agencies, requested some modifications to the model to account for specific local conditions. The data that formed the basis for our requests was carefully scrutinized by SFPUC and the modeler in order to maintain the integrity of the process. The reason that the water demand estimates differ from population and employment projections are discussed in the PEIR, and it is not our intention to restate what has

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already been described. But we do feel it is important to add Hayward's perspective to the discussion. To that end, the following paragraphs explore some of the main features of Hayward development, both residential and industrial, in order to more fully explain Hayward's unique situation, relative to many other regional water system wholesale customers.

Residential Water Demand

Hayward is the largest public wholesale customer of the regional water system. Our residents, however, have per capita water use that is among the lowest of all SFPUC's wholesale customers. Had this not been the case, the volume and percentage increases in estimated future water usage would have been lower, as the base usage would be higher. And, in spite of the projected increases in 2030, Hayward's projected per capita use in 2030 is still expected to be within the mid-range of other regional water customers. This is an important point, because Hayward is essentially expecting to "catch up" with other communities in terms of neighborhood amenities and their attendant water demands.

The lower-than-average use is due in part to the high density housing that has been built in the past, with little attention to landscaping, and because likewise many of the single-family homes have limited or no landscaping. While this scarcity of landscaping is advantageous from a water use standpoint, it is not a desirable feature for our community, and the City is actively working to change the situation. While the City is fully committed to best water conservation practices, any enhancements to the existing landscaping on these sites will inevitably result in a water use increase.

A recent housing needs assessment prepared by the Association of Bay Area Governments (ABAG) indicates the need for Hayward to plan for the building of nearly 3,400 housing units during the next seven years in order to keep pace with population growth. Hayward will continue to experience in-fill development, redevelopment of underutilized sites, and development of remaining large parcels within its adopted urban limit line, while some cities on the Peninsula are essentially "built out." An example of potential development that was not even in view when the demand study was prepared is the Route 238 Bypass Corridor Land Use Study to develop a plan to utilize parcels no longer needed for the Route 238 Bypass project. The study area totals over 350 acres, and the planning study for these parcels is just getting underway. Among the major study objectives is the City's desire to accommodate sufficient housing, including affordable housing, and other uses to support population increases and workforce needs for the full spectrum of the population and to reduce traffic congestion and improve air quality.

For some of the new development through the City, larger-than-average lot sizes are anticipated because of the intended design of the housing. However, even these "larger" lots are considerably smaller than in some other Bay Area communities. Also, new homes on average sized lots will have more extensive landscaping than is currently found on many existing lots. A review of actual current water usage for similar homes constructed in the past few years indicate that current water usage is between 400 to 600 gpd, compared with our average of about 300 gpd for existing homes.

12.3-125

O3 cont.

However, Hayward is also committed to the principles of Smart Growth, and where appropriate, is developing neighborhoods that are compact, walkable, and transit oriented. Landscaping is intended to enhance the livability of the community. The first attachment to this letter includes descriptions of recently constructed and proposed developments in Hayward to provide a sense of the type of Smart Growth development that is encouraged. These housing developments are redevelopment projects, located on formerly underutilized sites. All of the projects are within walking distance of a Bay Area Rapid Transit (BART) station and close to retail and commercial facilities.

At the same time, existing homes are being purchased and rehabilitated, including installation of landscaping, due to the relative affordability of Hayward properties compared with those on the Peninsula or in the South Bay. And, while homes are comparatively affordable in Hayward, they are still expensive in terms of dollars, so many existing homeowners are choosing to upgrade their Hayward property to protect their investment and as a matter of pride. Some property owners who are interested in selling their properties are installing landscaping to make their homes more marketable. Residential improvements are encouraged by the City through the Housing Rehabilitation and Neighbor Initiatives Programs, which provide grants and loans for eligible projects. Hayward's General Plan expressly encourages the rehabilitation and upkeep of residential properties to generally improve property values and quality of life for residents.

As properties improve, water usage can be expected to rise, particularly due to increased outdoor use. Thus, the model appropriately assumes that a certain number of renovated properties would increase water usage to an average of 400 gallons per day (gpd). This is the usage that we are seeing in newly constructed homes in Hayward with typical contemporary landscaping, and still very reasonable compared with similar uses elsewhere.

It is important to emphasize that the increased residential usage does not result from "lush landscaping" with water-intensive plantings, rather it is based on installation of typically low water use plants and shrubs. In fact, the City adopted a Water Efficient Landscaping Ordinance nearly fifteen years ago to regulate the type of plant materials and irrigation systems that are used in new development and has a Landscape Architect on staff to ensure conformance with the Ordinance. This Ordinance will be updated in accordance with the provisions of Assembly Bill 1881, and Hayward is also developing a Bay Friendly Landscaping Ordinance. The City provides classes and other resources to educate and encourage water efficient landscaping. Nonetheless, the City is committed to improving the overall appearance of the City, similar to the appearance of many Peninsula and South Bay communities, and we realistically expect that the water usage for new housing will exceed that of our current residential averages as a result.

Industrial Water Demand

Regarding this customer sector, Hayward's industrial development patterns differ from those in Peninsula cities. Although Hayward's business population grew in the 1990s,

O3 cont.

we did not have nearly the same level of economic development experienced in other communities. While a number of business parks and industrial sites were built, a significant portion of this industrial space was and continues to be underutilized for warehousing and other similar uses. There was much less high tech manufacturing and other water-intensive uses in Hayward that characterized industrial development in other communities. A key General Plan strategy is to reverse this practice and to focus business attraction and retention efforts on "...employment generators, high performance, fast growing firms and community-service retail, as well as high technology and other industries that will enhance the local economy." Hayward is currently implementing this strategy.

In recent years, the high cost of space and housing has prompted a number of manufacturing and food processing businesses, typically large water users, to leave the more expensive Peninsula and South Bay areas. Many have chosen to relocate to the Central Valley and other lower cost regions within the State, or to leave California altogether. However, some have opted to move their operations to more affordable cities within the Bay Area, such as Hayward, with access to needed workforce and public transportation. This transition has created a water allocation opportunity in many Peninsula and South Bay cities, as the uses are typically replaced by much less water use intensive research and development and office complexes. However, this redistribution of industrial use has and is expected to continue to shift some water demand to Hayward, not in the form of one or two high water use businesses, but in the siting of a variety of moderate and steady manufacturing entities.

Hayward's growing industrial base reflects much diversity in terms of types of industries. As noted in the previous paragraph, there are no "mega" water-using businesses in Hayward, the closure of which would cause a significant decline in overall water usage. Rather, there are an increasing number of food and beverage processors, biotechnology firms, and high tech companies that, in aggregate, contribute significantly to Hayward's industrial water demand. This is an important distinction between Hayward and some other Bay Area communities where a few very large businesses consume a significant portion of water, and their closure or reduced production can cause a significant reduction in water use.

Conclusion

Hayward has been and will remain committed to responsible and cost effective water conservation. The second attachment lists a number of programs that have been implemented in the past or are currently underway.

Recognizing that the desire for improved landscaping and other home features, and the City's desire to attract businesses, must be balanced with careful management of resources, the City is currently working closely with other SFPUC wholesale municipal customers, through BAWSCA, to develop cost effective regional water conservation programs and will continue to implement City-specific programs as well. The second

12.3-126

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cont.

attachment describes a number of programs that have been implemented in the past or are currently underway.

We need to be mindful of the fact that the projections were developed in 2004 for estimated water use in 2030, over 25 years in the future. A 25-year planning horizon suggests that some of the underlying assumptions will change over the years. The estimates were prepared using the best data available and our current knowledge about local conditions and development patterns. However, regardless of the residential and business development that occurs in our community, Hayward's long-standing commitment to water conservation and responsible water use will remain unchanged.

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cont.

We appreciate the opportunity to provide these comments.

Sincerely,



Robert A. Bauman
Director of Public Works

cc: Fran David, Acting City Manager
Susan Daluddung, Director of Community and Economic Development
Arthur Jensen, Bay Area Water Supply and Conservation Agency

Attachments: Smart Growth Development
Water Conservation Program Descriptions



**CITY OF HAYWARD
SMART GROWTH DEVELOPMENT**

The City of Hayward is committed to the Smart Growth principles of developing neighborhoods that are compact, walkable, mixed use and transit oriented. A number of recently constructed developments and approved conceptual plans illustrate this commitment.

12.3-127



Atherton Place Townhomes

Built in 1997, this 83-unit townhome project is bounded by C Street, D Street and Atherton Street. It is adjacent to the Hayward BART station and downtown Hayward.



City Walk Townhomes

Completed in 2003, this 77-unit housing development is located at the corner of C Street and Watkins Street, just across from the BART Station. This project represents the City's continuing efforts to repopulating the downtown core with a customer base through the construction of higher density housing.



Renaissance Walk

Renaissance Walk is a city block bounded by C Street, D Street, Atherton Street, and Watkins Street. A total of 46 condominium units were constructed in 2005, in a series of four-plex, tri-plex, and duplex buildings that appear as larger homes in traditional California styles. The homes are within walking distance of BART.



Studio Walk

This development of 70 loft units, completed in 2005, brings a new housing product to Hayward. The project density is 35 units per net acre, with three story (40 foot) high buildings composed of 1,454 square foot, two story units at grade and 1,667 square foot flats above. The project maintains a street presence with entry doors providing direct access to Atherton Street. It is within walking distance of BART.



Amador Village Condominiums

This 155-unit rental condominium development in the Burbank/Cannery area was completed in 2000. It is located on Amador Village off of D Street and is within walking distance of the Hayward BART Station and the Hayward downtown.



Pinnacle City Centre

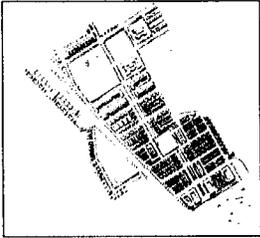
This 192-unit rental condominium development located in the Burbank/Cannery area at the corner of C and Grand Streets was completed in 1999. It is located approximately two blocks from the Hayward BART station and within walking distance of downtown.



Grand Terrace

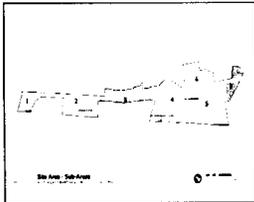
These 235 townhomes were approved by the City Council in July of 2000 and continue the contemporary adaptation of the row house concept developed at Atherton Place. Perimeter units are oriented to face the street and have individual raised porches. At a net density of about 35 units per acre, these two- and three-bedroom units are within walking distance of the downtown BART station.

Cannery Area Plan Implementation



The Cannery Area, located just west of downtown Hayward is an older industrial area now surrounded by the Burbank neighborhood. In 2001 the City adopted the Cannery Area Design Plan. The Plan's primary focus is the redevelopment of the central 55+ acres which will include the development of approximately 750-850 housing units, a new, elementary school, and an expanded Cannery Park. Key elements of the Plan include access to the nearby Bay Area Rapid Transit (BART) and AMTRAK/Capitol Corridor lines and neighborhood retail uses to serve the residents of the community. The Local Government Commission's Center for Livable Communities recognized the Cannery Plan with an Ahwanee Award in 2001, noting that the Plan "demonstrates many of the Ahwanee Principles in a single project. The Plan will provide a seamless connection to the surrounding neighborhoods."

South Hayward BART/Mission Boulevard Plan



The land use plan for the Mission Boulevard Corridor between Harder Road and Industrial Boulevard and including the South Hayward BART station was completed in June 2006. Among the goals of the Plan is to "provide for intensified land uses to encourage the development of a transit-friendly, smart growth area near an existing BART station." The planning area encompasses about 240 acres. The number of new housing units is expected to range from 1,600 to 3,200, depending on development proposals.



**CITY OF HAYWARD
WATER CONSERVATION PROGRAM**

The City of Hayward has a long-standing and active commitment to water conservation. As an original signatory to the California Urban Water Conservation Council Memorandum of Understanding (MOU), the City has implemented a number of cost effective demand management measures and consumer education programs to reduce water usage among our residential, commercial and industrial customers. In addition to our external customers, the City has also put into place water conservation practices and resources to reduce usage at City properties, most notably in landscape irrigation and system leak detection. The Water Conservation Program's success is demonstrated by the relatively low per capita consumption.

The following is a brief summary of the programs and practices that the City is currently implementing, or has offered in the past, to reduce water use.

Appliance and Fixture Replacements

- Household Fixture Replacements. Water conservation kits, consisting of water efficient showerhead, faucet aerators, toilet displacement bags, and leak detection tablets were made available at no cost to customers. About 5,000 kits were distributed in 1999 and 2000. More recently, water conserving devices have been distributed to families as part of the Water Wise school education program (see below). Similar to the original water conservation kit in content, the Water Wise kit provides high quality fixtures and water use audits and activities.
- Residential Toilet Replacement Rebates. The City offered rebates for the replacement of an existing toilet with a 1.6 gpf model between 2000 and 2003. As a result, close to 900 toilets, using up to 7 gallons per flush, were replaced with water efficient units.
- Commercial and Multifamily High Efficiency Toilet Replacements. The City participates in a regional program to replace existing toilets and urinals with high efficiency models in business and multifamily settings. This is a direct install program. The program experienced some start-up delays during its first year and is expected to be active in 2007-08.

12.3-128

- Residential Washing Machine Rebates. This regional program provides rebates for the purchase of an Energy Star rated clothes washing machine. The City has participated since its inception in 2001 and has issued 1,300 rebates to date.
- Commercial Washing Machine Rebates. Through the CUWCC Smart Rebates Program, the City is offering rebates for the purchase of a commercial washing machine, typically found in coin operated laundries and multi-family laundry facilities. The City has been allocated a total of 25 rebates based on available CUWCC funding and program participation.
- Cooling Tower Controller Rebates. Again through the CUWCC Smart Rebates Program, a financial incentive is offered for the installation of a cooling tower control to increase the number of cycles prior to discharging water used for cooling purposes. This program is getting underway at this time.
- Pre-Rinse Spray Valves. About 150 food related businesses, more than one-half of all such businesses in Hayward, have been equipped with a pre-rinse spray valve to reduce the water used for cleaning dishes and cooking utensils. The valves, which were installed between 2003 and 2007, were provided at no cost to the businesses

Price Signals

- Water Usage Rates. The City introduced an inclining block water rate structure in 1993 to encourage water customers to reduce their use. The rate schedule originally had two tiers; in 2003, it was expanded to three tiers. The first tier (1 to 10 units) rate is the base rate. The cost of second tier usage (11 to 30 units) is about 18% above the first tier, while highest block (over 30 units) has a substantially higher cost, at about 23% over the second tier. About 25% of the City's water is sold at the two lower rates.

The current annual average residential water use in Hayward is 20 hundred cubic feet (ccf) per billing period, which results in a water use charge of \$46.80. Customers whose usage reaches the ceiling amount within the second rate tier see a water use charge of \$72.10 or 54% above the annual average. If an additional 10 units of water is used in a billing period, the water usage charge would climb to \$103.30, more than twice as high as the average billing. While the issue of price signals and price elasticity is still being explored in the water conservation community, Hayward's water rate structure and water use rates deliver incentives to minimize water use.

- Service Charge. Hayward has one of the lowest service (or fixed) charges among Bay Area water agencies. This is significant because it means that customer billings are primarily driven and affected by water use. The basic charge for a 5/8" meter was, for many years, held at \$3.50 per month. A modest increase to \$4.50 was approved effective October 2007. In FY 2006-07, the revenue for water service totaled \$22 million. Of that total, only about 10% was derived from service charges, with the remainder coming from water usage charges. The City remains committed to a rate structure in which the fixed charges remain low and most of the operating revenue is obtained through use-based fees.

- Wastewater Charges. The City of Hayward is one of the few agencies which offer a residential wastewater rate structure that is based on wastewater discharge and provides an incentive to minimize water use. Customers that use ten or fewer units of water in a billing period are automatically billed the lowest (Lifeline) sewer rate, which is about 30% of the top rate. Customers that use between 11 and 15 units pay the middle (Economy) rate, which is about 60% of the top rate. The top sewer rate is applied when water usage exceeds 15 units. This is a practical method for implementing wastewater rates that are aligned with water usage, since wastewater metering is still impractical. Customers do not need to apply for the lower wastewater rate tiers; they are applied automatically based on meter readings.

Consumer Education

- Water Efficient Landscape Classes. The City sponsors a class each year, taught by a noted expert in water efficient landscaping, for residential customers. This past year, close to 90 people expressed interest in the class, exceeding the City's best estimate based on participation in previous years and in other jurisdictions. Accordingly, in the future we will increase the number of sessions to accommodate more participants.
- Water Efficient Landscaping Information. Hayward offers residential free brochures and a GardenSoft CD to encourage water conserving landscaping. The CD is a particularly effective tool for helping customers design and install a landscaping plan that does not sacrifice beauty for water efficiency. The information and CDs are available through the City's website, Revenue office, at special events, and by request.
- School Education. The City offers the WaterWise curriculum (developed by Resource Action) to fifth grade classrooms. This program includes teaching aids, activity books, and CDs. Students also receive high quality showerheads and faucet aerators for installation in their homes. The response to the program has been excellent. In two years, the program has been provided to 35 classrooms, reaching nearly 1,000 students.
- Water Efficient Landscape Ordinance. The City Council adopted a Water Efficient Landscape Ordinance in 1993 to ensure that landscaping in new development met certain standards for water efficiency. The City has on staff a landscape architect who reviews landscaping plans for conformance with the ordinance and ensures that the final installation meets the City's standards. (Note: The City will update the Ordinance, in accordance with Assembly Bill 1881, when the model is available from the Department of Water Resources.)
- Special Events. The City participates in a variety of special events, including local fairs, festivals, and business activities, to provide information and devices to encourage water conservation.

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- Billing Inserts. Customers receive information with their bills providing ideas for conserving water, both indoors and outdoors. The inserts are typically purchased from the AWWA and thoroughly researched and credible.
- Consumption Tracking. Water bills enable consumers to track their water use from year to year by providing information about water use for the same period in the previous year.
- Website Information. The City's website includes information about the City's current water conservation programs and general water conservation ideas, including a link to H2Ouse.org, the CUWCC's innovative conservation website.

City-Specific Water Conservation Activities

- Landscape Irrigation Staffing. The City funds two dedicated positions within the Water Operating Fund to manage irrigation systems on all public streets, public right-of-ways, and City-owned properties. These staff members monitor and maintain the systems to ensure that watering times are appropriate for the weather conditions and the sprinkler heads are correctly adjusted to minimize waste.
- Evapotranspiration (ET) Controller Installations. To date, the City has installed about 10 ET controllers to manage watering needs, particularly in new developments. Ultimately the City plans to install 75 such controllers. Currently, water savings of about 25 percent at each site are being achieved. Once the system is fully upgraded and centrally controlled, water savings are expected to be in the range of 40%.
- Leak Detection Survey and Repair. In order to address the issue of unaccounted-for-water, the City retained a contractor in 2006-07, to identify leaks through a comprehensive leak detection survey. This work had been previously done in 1995. The survey indicated that the distribution system is quite sound, with just a very few small leaks located. Hence, the City is planning to concentrate next on meter testing and replacement to reduce the difference between wholesale water purchased and retail distribution.

In addition to continuing its existing programs, Hayward is currently evaluating and considering other efforts to increase water use efficiency, including continued participation in regional rebate and education programs. Hayward will be implementing all actions required by Assembly Bill 1880, including updating the Water Efficient Landscape Ordinance and requiring separate irrigation meters under certain conditions.

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TOWN OF HILLSBOROUGH

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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
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DEPARTMENT OF PUBLIC WORKS

September 27, 2007

Mr. Paul Maltzer
Environmental Review Officer, WSIP, PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Comments for the Draft Program Environmental Impact Report (DPEIR) Water System Improvement Program (WSIP)

Dear Mr. Maltzer:

The Town of Hillsborough supports the overall goals and objectives of the San Francisco Public Utilities Commission Water System Improvements Program to enhance the reliability, seismic performance, water quality, as well as cost effectiveness of the water delivered for the regional water system, as outlined in the Draft Program Environmental Impact Report. The Town finds the DPEIR to be a comprehensive document analyzing the environmental impacts of the projects and alternatives as required by law. The Town has the following comments:

- The DPEIR should further analyze and discuss the seismic performance and potential failure of the existing system and the critical importance of completing the WSIP to protect the public health and safety of the people who live in the Bay Area. The regional system is the main source of water for the Town and the region. The DPEIR does not discuss the need and urgency to repair the regional system to avoid failure in a significant seismic event. There is a 60 percent probability of a major earthquake occurrence in the Bay Area from now to 2030 that could disrupt the regional water system for 30 to 60 days. We recommend that the DPEIR establish the economic impact of not completing the projects (excluding injuries and loss of life) compared to the cost of system reconstruction, in a seismic event. The DPEIR should discuss the catastrophic impact on public health and safety in a significant seismic event and the need for expeditious and urgent repair of the regional system consistent with AB 1823. Furthermore, we request that SFPUC proceed with completion of improvements to the regional water system as soon as possible and avoid any delays arising out of re-evaluation of the projects.

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- The DPEIR evaluates several alternatives to the project as required by CEQA. The Town of Hillsborough supports the modified WSIP as the preferred alternative. This alternative would reduce key impacts on natural resources along the lower Tuolumne River, Alameda Creek below the diversion dam at Pilarcitos Reservoir and Creek as well as Crystal Springs Reservoir and will continue to meet the WSIP primary goals and objectives. This alternative will also maximize the use of the existing system and facilities without requiring construction of additional facilities or substantially increasing the energy demand to meet the needs of the customers. The Town of Hillsborough also supports the Bay Area Water Supply and Conservation Agency's (BAWSCA's) proposal that the final DPEIR further describe and analyze the DPEIR's Modified WSIP Alternative (the environmentally superior alternative) and that the final DPEIR explore the feasibility of the Bay Area water customers financially supporting water conservation with agricultural interests on the lower Tuolumne River that will result in no net decrease in flows on the lower Tuolumne. BAWSCA's proposal is to conserve even more agricultural water resulting in a net increase in lower Tuolumne River flows. This additional water could then be available to support greater flows in the lower Tuolumne River, deployed at times and in volumes most beneficial for salmon and other important species in the lower Tuolumne River. Under BAWSCA's proposal, the implementation of the WSIP can improve, rather than degrade, flow conditions in the lower Tuolumne River.

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We also recommend that DPEIR discuss the possibility that the new contract with the wholesale purchasers while establishing fixed entitlements, that SFPUC consider transferability among purchasers in the new contract. The Town also supports Bay Area Water Supply and Conservation Agency to take the lead on conservation regionally funded through water rates.

05

- The DPEIR discusses the water supply needs of the region by year 2030. DPEIR references the Water Supply Master Plan (SFPUC 2000) as a guidance document for the SFPUC service area, and SFPUC Water Supply Options Report (2007), the most current evaluation of water supply for the region. The Town acknowledges the need to evaluate the future water supply needs, however, we are concerned that the priority should remain on fixing the regional system's performance and reliability.

06

The need to plan for 2030 water supply should not delay meeting the level of service goals to ensure the current regional system will continue meeting the existing needs. We further recommend the level of service goals for the existing system be attained sooner, even if it results in delays in meeting 2030 water supply goals. The Town strongly urges SFPUC to proceed with the program expeditiously to ensure reliable delivery of water to the SFPUC customers. The water supply analysis for 2030 also assumes a 20% rationing to allocations during drought periods. We request that a 10%

07

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rationing variant be considered since it will increase the reliability of the system in drought years and will significantly reduce the economic impact on the region. cont.

07

- The WSIP as proposed will result in construction and upgrade of facilities within the Town of Hillsborough boundaries. We request SFPUC to address the following issues upon better definition of each project within the Town:

08

- Public Outreach
- Air Quality
- Traffic
- Noise
- Impact on Schools
- Construction dewatering and impact on local facilities
- Erosion Control and Geology

- The Town of Hillsborough has taken significant measures to comply with the SFPUC's recent request for a 10% BAWSCA and member agencies voluntary reduction in water usage and actively support implementation of additional water conservation program measures and water recycling to make effective use of limited water supplies. Following are some examples of our efforts:

Smart Irrigation Month: The Town participated in the Irrigation Association's campaign to reduce outdoor water usage. Weekly articles on outdoor water conservation appeared in the "What's New" section of the Town's website. Town residents also received a "Smart Irrigation Month" brochure with their utility bill in July. An article also appeared in the Town's quarterly newsletter.

Water Wise Gardening CD: The Town purchased five hundred CDs for dissemination to interested Town residents. The Town advertised the CDs in its quarterly Newsletter, on its website and in Town Hall itself.

Water Wise Education Kit: The Town purchased one-hundred and eighty Water Wise Education Kits for FY 2007/08, enough for every 5th grade student attending the Hillsborough City School District.

Be A Water Saving Hero: The Town participates in the regional awareness campaign by posting campaign information on the Town website, inserting brochures in residents' utility bills and making the brochures available to Town residents at Town Hall.

Rebate Programs Washing Machines: The Town continues to participate in the BAWSCA sponsored washing machine rebate program.

09

San Francisco Planning Department
Mr. Paul Maltzer
September 27, 2007
Page 4

Landscape Audit Program: The Town has applied for, was accepted to participate in and has dedicated funding for, the BAWSCA Landscape Audit Program. Funding has been dedicated by the Town Council for each of the next three fiscal years.

Water Main Flushing: After some study and consideration, the Town has combined its water main flushing and fire flow testing activities. This has resulted in a significant reduction in water being discharged into storm drains by Town staff during routine maintenance and testing of its water infrastructure.

Town Hall Irrigation System: The Town is refurbishing the Town Hall landscape irrigation system to ensure water conservation.

Water Conservation Garden: The Town is refurbishing its Water Conservation Garden so it will continue to serve as a model example for Town residents interested in drought tolerant landscaping.

Green Building Guidelines: The Town is in the process of considering Green Building guidelines for future Town facilities and for certain residential construction projects. Water conservation is a significant component of these guidelines.

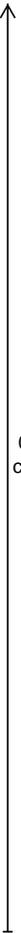
Grey Water Systems: The Town is researching "closed" grey water systems with potential residential application. This system uses grey water captured from the bathroom sink for toilet flushing. The Town will purchase and test at least one of these systems in its own facilities.

Smart Irrigation Controllers: The Town continues to research Smart Irrigation Controllers and model rebate programs. The Town purchased and tested a Smart Controller at its Vista Park facility. The Town hopes to incorporate a Smart Controller rebate program into its Landscape Audit Program in the coming fiscal year.

Water Flushing Conservation Methods: The Town continues to research conservation solutions for the Town's water main flushing activities. The Town is also researching the placement of mobile water tanks to hold flushed water for use by Town staff and building contractors.

Low Flow Devices: The Town continues to research innovative low flow devices that may be of interest to our residents. The results of our research will be made available on the Town's website.

Town Website Water Conservation Page: The Town is in the process of improving its Public Works web pages, which will include a dedicated "water conservation" page. Residents will find in depth water conservation tips and guidelines on this page, as well as links to other water conservation websites.



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San Francisco Planning Department
Mr. Paul Maltzer
September 27, 2007
Page 5

We look forward to working with SFPUC and all other stakeholders' for expeditious improvements to the regional water system.

Sincerely,

Cyrus Kianpour, P.E., PLS
City Engineer

cc: John Fannon, Council Member
Martha DeBry, Public Works Director



September 21, 2007

San Francisco Planning Department
Att: Paul Maltzer, Environmental Review Officer, WSIP-PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: San Francisco Water Supply Improvement Program (WSIP)
Comments on Programmatic Environmental Impact Report (PEIR)

Dear Mr. Maltzer:

The Los Altos Hills County Fire District draws water from Purissima Hills Water District and the California Water Service systems, both of which are affected by the WSIP. The PEIR addresses regional water supply issues that are critical to reliable water supply for fire fighting in Los Altos Hills. Without a reliable water supply, there are billions of dollars of property at risk of fire including Foothill Jr. College with 18,000 enrolled students, a public elementary school, a large private school, over 3,000 high value residential buildings and thousands of acres of hilly woodland and grassland.

The recent Stanford Hills fire and the Stevens Creek wildfires on our borders posed grave threats to our community, and could have created fire disasters. The Town includes extensive acreage of undeveloped hillside land and borders regional parkland and preserves that provide wildlife habitat for many species, all of which are at risk of loss by wildfire.

Recent court orders to "stop pumping" from Delta water sources to preserve fish spawns have severely reduced the reliability of the Delta supply and could affect water availability to California Water Service. This plus the lack of usable groundwater in our area, accentuate the need to improve the reliability of the SFPUC's Hetch-Hetchy and Calaveras supplies, as the only viable supply available for fire fighting. While the Purissima Hills Water District has adequate local storage capacity, it is totally dependent on SFPUC's supply to fill its tanks.

Growth within the City of San Francisco and the communities served by the SFPUC's regional water supply system is expected to require an increase in the amount of water drawn from an already over-utilized Tuolumne River supply. The District has unresolved reservations about increases in the drawdown of water from this resource. The District encourages the SFPC and the SFBoS to consider conservation measures and additional restrictions on water use in order to protect the valuable natural resource.

Our District already has firmly established water conservation measures in place including water-saving foaming apparatus on all of our trucks, and protocols to minimize water use when testing

Los Altos Hills County Fire District

P.O. Box 1766 Los Altos, CA 94023-1766

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hydrants. All pressure and flow testing of hydrants by our staff is coordinated with the water company personnel so that main flushing and bacterial testing is done simultaneously, saving water.

Los Altos Hills County Fire District therefore urges the San Francisco Planning Commission, and the San Francisco Board of Supervisors to approve and certify the PEIR without further modifications or variation. We urge rapid completion of the environmental review process and implementation of WSIP improvements to reduce the extreme risk of disastrous wildfire and economic catastrophe resulting from lack of a reliable water supply.

Very truly yours,

[Signature]

Dorothy Price, President
Los Altos Hills
County Fire District

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September 14, 2007
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CITY & COUNTY OF S.F.
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San Francisco Planning Department
Att: Paul Maltzer, Environmental Review Officer, WSIP-PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: San Francisco Water Supply Improvement Program (WSIP)
Comments on Programmatic Environmental Impact Report (PEIR)

Dear Mr. Maltzer

The PEIR addresses regional water supply issues that are critical to reliable water supply and fire safety in Los Altos Hills. Los Altos Hills is served by Purissima Hills Water District and by California Water Service systems, both of which are affected by the WSIP. The lack of a reliable water supply places billions of dollars of property at risk of fire including Foothill Jr. College with 18,000 enrolled students, a public elementary school, a large private school, and over 3,000 high value residential buildings.

The recent Stanford Hills fire and the Stevens Creek wildfires posed grave threats to our community. The Town includes large acreage of undeveloped hillside land and borders regional parkland and preserves that provide wildlife habitat for many species, all of which are at risk of loss by wildfire.

Recent court rulings and "stop pumping" orders on Delta water sources to preserve fish spawns have severely reduced the reliability of the Delta supply. We therefore cannot rely on the Santa Clara Valley Water District, and there is no usable groundwater resource in our area. This accentuates the need to improve the reliability of the SFPUC's Hetch-Hetchy and Calaveras supplies, as the only viable supply available to us.

Planned growth within the City of San Francisco and the communities served by the SFPUC's regional water supply system is expected to require an average of 300 mgd by the year 2030. This can be met utilizing the Tuolumne River supply within the limits of the SFPUC's legally entitled water rights, water transfers and conservation through 2030 according to the proposed WSIP.

"Smart Growth" has been a key principle in Los Altos Hills since its incorporation in 1956, with a minimum residential lot size of 1 acre. The resulting low density development has reduced water demands per acre by 20 to 100+ percent over water consumption in neighboring cities where six to ten dwellings or more per acre is the norm. While per capita water usage appears higher, the net effect is that planned growth in Los Altos Hills has reduced total demand for the area.

Conservation measures are already firmly established in irrigation practices, in plumbing codes, in landscaping design, plan review and water system operations. Further water savings may be marginal when compared to the reductions already achieved. For example, the two schools with large athletic fields in our Town have already converted to artificial turf to save water. Nevertheless conservation continues to be a high priority and recent initiatives are listed below.

- Resolution 122-06 was enacted in December 2006 coordinating efforts with Purissima Hills Water District to reduce water usage on new landscape projects; promote water conservation through public education and consider incentives for property owners to conserve water.
- The Conservation Element of the Town's General Plan was revised in April 2007 to improve protection and conservation of the Town's water resources including five policies, nine programs, and adoption of best management practices.
- A new Water Conservation Subcommittee was formed to develop and implement the Council adopted resolution, policies and programs.

Los Altos Hills therefore urges the San Francisco Planning Commission, and the San Francisco Board of Supervisors to approve and certify the PEIR without further modifications or variation. We urge rapid completion of the environmental review process and implementation of WSIP improvements to reduce the extreme risk of catastrophe resulting from a seismically deficient and unreliable water supply system.

Very truly yours,

Craig A.T. Jones
Mayor
Town of Los Altos Hills

12-3-134

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KELLY FERGUSSON
MAYOR

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October 1, 2007

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San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Comments on the Draft Program Environmental Impact Report (PEIR) for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP)

Dear Mr. Maltzer:

Thank you for the opportunity to comment on the WSIP PEIR. The City of Menlo Park appreciates your willingness to consider these comments.

As a long-time wholesale customer of the SFPUC, the Menlo Park Municipal Water District serves approximately 10,000 residents and numerous other businesses and institutions, including local schools and a Department of Veterans Affairs hospital. The Menlo Park Municipal Water District currently relies on the SFPUC for 100 percent of its water supply. A sustained water system outage would have devastating impacts to our community members, institutions, and local economy. Given the current vulnerability of the regional water system to damage from seismic events, it is imperative to proceed expeditiously with the projects outlined in the WSIP.

Menlo Park's comments will focus in particular on some of the construction impacts associated with the WSIP. Project BD1, the Bay Division Reliability Upgrade, includes a new 120-inch diameter, five-mile long tunnel under San Francisco Bay that will be constructed from a staging area in Menlo Park. Project BD1 also includes a new 72-inch diameter pipeline that will travel through Menlo Park for approximately 2.6 miles. Menlo Park would like to work cooperatively with the SFPUC to plan for reasonable construction mitigation measures that will minimize the construction impacts to local residents and businesses. We understand that as a program-level EIR, some of the details regarding Project BD1 are simply not available at this time and a project-level EIR is being planned.

Please consider the following specific comments:

- 1) **More work is needed to identify noise impacts and mitigations.** Section 6.3.9 describes Mitigation Measure 4.10-1a and states, "SFPUC Construction Measure #6 for noise requires compliance with local noise ordinances to the extent feasible." A copy of Menlo Park's noise ordinance is attached for reference. Menlo Park requests that the PEIR or project-level EIR for Project BD1 conduct more thorough studies of potential construction noise and ways to mitigate for it. The "to the extent feasible" language in this mitigation measure leaves the community with no way to evaluate how significant noise impacts may be, and therefore no meaningful way to comment on the impacts of construction noise levels as part of the EIR process. We urge the SFPUC to examine Menlo Park's noise ordinance, identify mitigation measures capable of meeting the noise levels in the ordinance, and adopt these measures as part of Project BD1.
- 2) **Settlement monitoring is needed where the proposed Bay Tunnel crosses under existing levees in Menlo Park.** Impact 4.5-4 provides for Mitigation Measure 4.5-4b, Site Specific Flooding Analysis and Identified Measures. The City of Menlo Park requests that a site-specific analysis be performed for the Bay Tunnel portion of Project BD1. This tunnel will pass under existing levees along the shore of San Francisco Bay. The tunneling operation and ground disturbance in the vicinity of the levee have significant potential to induce settlement, which would subject the area to greater risk of tidal flooding. Much of the alignment of Project BD1 through Menlo Park is in an area designated by the Federal Emergency Management Agency as a flood hazard zone. A settlement monitoring and mitigation plan should be developed as part of the project-level EIR for Project BD1.
- 3) **Construction working hours need to be better defined and more reasonable truck hauling requirements should be developed.** Impact 4.10-2, Temporary Noise Disturbance Along Construction Haul Routes, does not currently include sufficient mitigation measures. Construction of the Bay Division #5 pipeline as part of Project BD1 calls for the construction of a 72-inch diameter pipeline adjacent to residences in Menlo Park. Residences will be only 20 to 30 feet from the planned pipeline trench. The mitigation measures under this impact appear to allow up to 80 truck trips per hour except during nighttime hours, defined as 10 p.m. to 7 a.m. Menlo Park believes this is an unreasonable level of impact in residential neighborhoods. Construction hours should be customized in consultation with local jurisdictions to reflect the character of the adjacent area. Trenching and truck hauling from 7 a.m. to 10 p.m. is unreasonable in residential neighborhoods!

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4) **More work is needed to identify and mitigate for temporary traffic impacts.** Mitigation Measures 4.8-1a and 4.8-1b are designed to address a variety of temporary traffic impacts. These measures require site-specific traffic control plans, which are certainly necessary to address traffic safety. As a mitigation measure however, they are not sufficient to mitigate impacts to a less than significant level. Even with these mitigation measure in place detours, temporary street closures, loss of parking, and limited access to businesses and residences will be experienced, which should be considered a significant environmental impact. More work is needed to address site specific traffic impacts. Without disclosing which streets will be closed for what duration, the PEIR is currently insufficient to conclude that temporary traffic impacts have been properly mitigated to less than significant levels. The City of Menlo Park requests that the project-specific EIR for Project BD1 evaluate and consider additional mitigation measures for temporary traffic impacts. These measures should be developed well before projects are put out to bid. With smaller projects it is common to simply leave traffic control up to the contractor. Given the scale of Project BD1, this approach would inevitably lead to conflict, delays, and claims for extra work from the contractor. Menlo Park would like to work cooperatively with the SFPUC to better identify construction traffic routing and appropriate mitigation measures as part of project design.

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5) **Establish a vibration monitoring program for Project BD1.** Mitigation Measure 4.10-3a includes specific values for allowable vibration. More information is needed to better understand how these values were established. The tunneling and large-scale trenching required under Project BD1 could generate substantial vibration in nearby residences and businesses. Simply stating a limit in the specifications as required by the mitigation measure is insufficient. A monitoring program should be developed and implemented to ensure that the contractor complies with the stated limits.

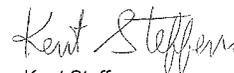
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6) **Menlo Park currently receives 100 percent of its water supply from the SFPUC.** Table 3.1, which lists BAWSCA members, includes an asterisk for Menlo Park indicating multiple sources of supply. The City of Menlo Park has multiple water companies operating within its political boundaries. However, the Menlo Park Municipal Water District is the specific entity that is a BAWSCA member, and it currently receives 100 percent of its water supply from the SFPUC. Please correct Table 3.1 by removing the asterisk from Menlo Park.

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Thank you for considering the City's comments. Please call me at 650-330-6781 if you have questions.

Sincerely,



Kent Steffens
Director of Public Works

Attachments: Menlo Park Municipal Code Chapter 8.06, Noise

cc: Mayor and Members of City Council
Glen Rojas, City Manager
William McClure, City Attorney
Art Jensen, Executive Director - BAWSCA

12.3-136

Title 8 PEACE, SAFETY AND MORALS*

Chapter 8.06 NOISE8.06.010 Declaration of policy.8.06.020 Definitions.8.06.030 Noise limitations.8.06.040 Exceptions.8.06.050 Exemptions.8.06.060 Temporary permits, special event permits and use permits.8.06.065 Ministerial permits.8.06.070 Time for compliance.8.06.080 Administration.8.06.090 Violations.**8.06.010 Declaration of policy.**

It is declared to be the policy of the city to protect the peace, health and safety of its citizens from unreasonable noises from all sources including, but not limited to, those specified in this chapter. (Ord. 892 § 2 (part), 1999).

8.06.020 Definitions.

The definitions set forth in this section shall govern its construction.

- (1) "**A-Weighting**" means a filter network designed to transform a frequency spectrum to that which is heard by the human ear.
- (2) "**Construction activities**" means the grading, demolition, alteration, repair or remodeling of existing structures and construction of new structures including the use of power equipment in connection with activities. "Construction activities" does not include radios or other forms of amplified music on a construction site.
- (3) "**Daytime**" means the period from seven (7) a.m. to ten (10) p.m. daily.
- (4) "**Decibel (dB)**" means a unit for measuring the amplitude of sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micropascals.
- (5) "**Delivery**" means the delivery or pickup or the arrival for delivery or pickup of goods, wares and merchandise by the use of a motorized vehicle, other than an automobile or train.
- (6) "**Equivalent-energy level (Leq)**" means the level of a steady-state noise that has the same sound energy as a given time-varying noise.
- (7) "**Holidays**" means the follow days: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, and Christmas

Day.

(8) "**Impulsive sound**" means sound of short duration, usually less than one (1) second, with an abrupt onset and rapid decay. Examples of impulsive sounds include explosions, drop impacts and firearm discharge.

(9) "**Motor vehicles**" means any and all self-propelled vehicles as defined in the Vehicle Code of the state, including all on-highway types of vehicles subject to registration under said code and all off-highway type of motor vehicle subject to identification under said code.

(10) "**Multifamily dwelling**" means any housing unit where two (2) or more dwellings are separated by a common wall, floor or ceiling, including but not limited to apartments, condominiums and townhouses.

(11) "**Nighttime**" means the period from ten (10) p.m. to seven (7) a.m. daily.

(12) "**Noise disturbance**" means any source of sound which exceeds the noise limitations permitted in Section 8.06.030. For purposes of this section sources of sound shall include but not be limited to the following: amplified music, loudspeakers, radios, televisions, stereos, musical instruments, powered toys or models, swimming pools or spas, industrial machinery, manufacturing equipment, pile drivers, air compressors, paint sprayers, motors, pumps, blowers, air conditioners, cooling towers, ventilating fans, fork lifts, loaders, tractors, animals, concerts, mechanical equipment, human voices, electrical appliances, vacuum cleaners, powered equipment, chain saws, beepers, motor vehicles and attached equipment not operated on a street or highway, etc.

(13) "**Noise level**" means the amplitude of sound pressure referenced to twenty (20) micropascals, measured in decibels, using the A-weighting network (for the purposes of this chapter).

(14) "**Noise level measurement**" means the procedure of measuring sound consisting of the usage of a precision sound level meter (SLM), as defined in the section, set to "fast" response. If the sound level meter is analog with a VU meter, then the response shall be "slow" unless the noise issue is impulsive. The meter must be calibrated before any measurements and the microphone shall be a minimum of three and one-half (3 1/2) feet from any wall, floor or other large sound reflecting surface. The meter shall be protected from wind or other extraneous noise by the use of screens, shields or other appropriate devices.

(15) "**Precision sound level meter**" means a sound pressure level measuring instrument which conforms to the American National Standards Institute (ANSI) specification S1.4 for Type 1 or Type 2 measuring instruments.

(16) "**Powered equipment**" means a motorized device powered by electricity or fuel used for construction, demolition and property or landscape maintenance or repairs. Powered equipment includes but is not limited to: lawn mowers, hedgers, parking lot sweepers, saws, sanders, motors, pumps, generators, blowers, wood chippers, vacuums, drills and nail guns (but specifically excluding internal fuel combustion engine leaf blowers).

(17) "**Residential property**" means any property legally used for a single family or multifamily dwelling as defined in Section 16.04.240.

(18) "**Sound-amplifying equipment**" means any machine or equipment or device for the amplification of the human voice, music or any other sound. Sound-amplifying equipment shall not be construed as including automobile radios (which are covered by the California Vehicle Code), warning devices on authorized emergency vehicles or horns or other warning devices on other vehicles used for traffic safety purposes.

(19) "**Work personally done by resident or property owner**" means work undertaken by the property owner/resident. Resident/property owner may be assisted by a family member, friend or other persons. (Ord. 895 § 5, 1999; Ord. 892 § 2 (part), 1999).

8.06.030 Noise limitations.

(a) Except as otherwise permitted in this chapter, any source of sound in excess of the sound level limits set forth in Section 8.06.030 shall constitute a noise disturbance. For purposes of determining sound levels from any source of sound, sound level measurements shall be made at a point on the receiving property nearest where the sound source at issue generates the highest

sound level. Sound level measurements shall be made with a precision sound level meter (Type 1 or 2) set to A-weighting, and "fast" response for fluctuating sound. Slow or fast response may be used for continual sources. For repetitive, impulsive sound, the one (1) second rms maximum level (Lmax) shall be used. For continuous sound, use the average level or Leq. In multifamily residential structures, the microphone shall be placed no closer than three and one-half (3 1/2) feet from the wall through which the source of sound at issue is transmitting. The microphone shall also be placed five (5) feet above the floor regardless of whether the source of sound at issue transmits through the floor, ceiling or wall.

(1) For all sources of sound measured from any residential property:

(A) "Nighttime" hours--fifty (50) dBA,

(B) "Daytime" hours--sixty (60) dBA;

(2) For all sources of sound within a multifamily residential structure transmitting through a common interior partition (wall, floor or ceiling) from one (1) dwelling unit to another:

(A) "Nighttime" hours--thirty-five (35) dBA,

(B) "Daytime" hours--forty-five (45) dBA;

(3) Corrections for character of sound: In the event the alleged offensive noise contains a steady, audible tone, such as a whine, screech, beating, pulsating, throbbing or hum the standards set forth in Section 8.06.030(a)(1) and (2) shall be reduced by five (5) dB.

(b) Any and all excessively annoying, loud or unusual noises or vibrations such as offend the peace and quiet of persons of ordinary sensibilities and which interfere with the comfortable enjoyment of life or property and affect at the same time an entire neighborhood or any considerable number of persons shall be considered a noise disturbance.

(c) It shall be unlawful to create, permit, allow or maintain a noise disturbance in Menlo Park. (Ord. 892 § 2 (part), 1999).

8.06.040 Exceptions.

The following are exceptions to the noise limitations set forth in Section 8.06.030. These activities may occur at other times provided they meet the noise levels set forth in Section 8.06.030.

(a) Construction Activities.

(1) Construction activities between the hours of eight (8) a.m. and six (6) p.m. Monday through Friday,

(2) Residents/property owners personally undertaking construction activities to maintain or improve their property on Saturdays, Sundays or holidays between the hours of nine (9) a.m. and five (5) p.m.,

(3) A sign, containing the permitted hours of construction activities exceeding the noise limits set forth in Section 8.06.030, shall be posted at all entrances to a construction site upon the commencement of construction, for the purpose of informing contractors and subcontractors and all other persons at the construction site of the basic requirements of this chapter. The sign shall be at least five (5) feet above ground level and shall consist of a white background with black letters,

(4) Notwithstanding any other provision set forth above, all powered equipment shall comply with the limits set forth in Section 8.06.040(b);

(b) Powered Equipment.

(1) Powered equipment used on a temporary, occasional or infrequent basis operated between the hours of eight (8) a.m. and six (6) p.m. Monday through Friday. No piece of equipment shall generate noise in excess of eighty-five (85) dBA at fifty (50) feet,

(2) Residents/property owners personally using powered equipment to maintain their property and/or residence on Saturdays, Sundays or holidays between the hours of nine (9) a.m. and five (5) p.m. No piece of equipment shall generate noise in excess of eighty-five (85) dBA at fifty (50) feet.

(c) **Internal Fuel Combustion Engine.** Gasoline powered leaf blowers operated in accordance

with and during hours as permitted by Chapter 8.07 (Leaf Blowers);

(d) Deliveries.

(1) Deliveries to food retailers and restaurants,

(2) Deliveries to other commercial and industrial businesses between the hours of seven (7) a.m. and six (6) p.m. Monday through Friday and nine (9) a.m. to five (5) p.m. Saturdays, Sundays and holidays;

(e) **Occasional Social Gatherings.** Occasional social gatherings between eleven (11) a.m. and eleven-thirty (11:30) p.m.; provided, the noise level for the occasional social gathering measured from any adjacent residential property does not exceed sixty-five (65) dBA;

(f) **Street Sweeping/Parking Lot Sweeping.** Street sweeping/parking lot sweeping Monday through Friday between the hours of seven (7) a.m. and six (6) p.m. anywhere in the city; and street sweeping between the hours of four-thirty (4:30) a.m. to six (6) p.m., Monday through Friday on the following streets/public parking plazas: El Camino Real, Santa Cruz Avenue (between Merrill Street and Johnson), Oak Grove Avenue (between University Avenue and Merrill Street), Menlo Avenue, Doyle Street, Curtis Street, Chestnut Street, Evelyn (between Santa Cruz and Menlo Avenue), Crane Street (between Menlo Avenue and Oak Grove Avenue), Maloney Lane, Johnson Lane, University Avenue (between Menlo Avenue and Oak Grove Avenue), Merrill Street, Willow Road (between Bay Front Expressway and Middlefield Road), O'Brien Drive, Hamilton Avenue (south of Willow Road), Adams Drive, Adams Court, Casey Court, Hamilton Court, Haven Avenue, Independence Drive, Chrysler Drive, Jefferson Drive, Constitution Drive, Kelly Court, Haven Court, Commonwealth Drive, Chilco Street (from Bay Front Expressway to the Dumbarton spur railway line), and Sand Hill Road (from Highway 280 to Santa Cruz), and all public parking plazas in the central business district (the area between El Camino Real, University Avenue, Menlo Avenue and Oak Grove Avenue);

(g) **Garbage Collection.** Garbage collection Monday through Friday between the hours of six (6) a.m. to six (6) p.m., throughout the city; and between the hours of two (2) a.m. to six (6) p.m., Monday through Friday, and between the hours of six (6) a.m. and six (6) p.m., on Saturdays, for properties abutting the following streets: El Camino Real, Santa Cruz Avenue (between Merrill Street and Johnson), Oak Grove Avenue (between University Avenue and Merrill Street), Menlo Avenue, Doyle Street, Curtis Street, Chestnut Street, Evelyn (between Santa Cruz and Menlo Avenue), Crane Street (between Menlo Avenue and Oak Grove Avenue), University Avenue (between Menlo Avenue and Oak Grove Avenue), Merrill Street, Willow Road (between Bay Front Expressway and Gilbert), O'Brien Drive, Hamilton Avenue (south of Willow Road), Adams Drive, Adams Court, Casey Court, Hamilton Court, Haven Avenue, Independence Drive, Kelly Court, Haven Court, Commonwealth Drive, Chilco Street (between Bayfront Expressway to the Dumbarton spur railway line), Chrysler Drive, Jefferson Drive and Constitution Drive;

(h) **Animals.** Sounds from animals or birds unless such animal or bird howls, barks, meows, squawks, or makes other noises continuously and/or incessantly for a period of five (5) minutes or intermittently for one-half (1/2) hour. For the purposes of this section, the animal or bird noise shall not be deemed a disturbance if a person is trespassing or threatening to trespass upon private property in or upon which the animal or bird is situated or if the noise is for any other legitimate cause, such as someone teasing or provoking the animal or bird. (Ord. 895 § 6, 1999; Ord. 892 § 2 (part), 1999).

8.06.050 Exemptions.

The following noise disturbances shall be exempt from the noise limitations set forth in Section 8.06.030:

(a) **Sound Generated by Motor Vehicles.** Sound generated by motor vehicles, trucks and buses operated on streets and highways, aircraft, trains, and other public transport.

(1) This exemption shall not apply to the operation of any vehicle including any equipment attached to any vehicle (such as attached refrigeration and/or heating units or any attached auxiliary equipment) for a period in excess of ten (10) minutes in any hour while the vehicle is stationary, for reasons other than traffic congestion.

(2) This exemption shall not apply to vehicles equipped with sound amplifiers which are not exempt. No person shall operate or drive any vehicle or cause any vehicle to be operated or

driven, or otherwise used, on any public street, which vehicle is equipped with a sound amplifying device or other machine or device for the production or reproduction of sound, which causes sound to carry onto private property or causes sound to be heard by others using the public streets or thoroughfares which exceeds the noise levels established in Section 8.06.030;

(b) **Emergencies.** Emergency repairs that deal with health or safety risk and emergency generators or powered equipment used during a power outage or other emergency;

(c) **Emergency Warning Devices.** Emergency warning devices such as fire alarms, burglar alarms, warning devices on emergency vehicles and train horns. This exemption shall not apply to the sounding of any burglar or fire alarm or any motor vehicle burglar alarm, except for emergency purposes, unless such alarm is terminated within ten (10) minutes of activation and no more than two (2) false activations within a four (4) hour period;

(d) **City and State Projects.** City and state construction work performed by the city and/or the state, their respective agents or contractors, for city and/or state maintenance, repair or construction projects which cannot be performed from seven (7) a.m. to six (6) p.m. Monday through Friday;

(e) **Special Events.** Any event or use for which a special event permit has been issued by the city that specifically allows noise levels to be exceeded;

(f) **Use Permits.** Any use for which a use permit has been issued by the city that specifically allows noise levels to be exceeded;

(g) **Athletic Fields/Playgrounds/Parks/Public Tennis Courts/Public Recreation Facilities.** From seven (7) a.m. to ten (10) p.m. any organized athletic events or activities occurring on athletic fields, playgrounds, parks, tennis courts or other public recreation facilities owned or operated by a school district, the city or the county; provided, no amplified music or sound system is utilized. (Ord. 892 § 2 (part), 1999).

8.06.060 Temporary permits, special event permits and use permits.

(a) If an applicant can demonstrate that a diligent investigation of available noise abatement techniques indicates that compliance with the requirements of this chapter would be impractical or unreasonable, the director of community development may issue a permit to allow an exclusion from the provisions contained in all or part of this chapter with appropriate conditions to minimize the public detriment caused by such exclusions. Any such permit shall be of as short duration as possible up to three (3) months, but renewable once for up to an additional three (3) month period upon showing of good cause, and shall be conditioned upon details and a schedule for compliance.

(b) The director of community development, or his/her designee, shall have authority to issue special event permits for special events which occur no more frequently than twice per calendar year. The nature, time and notice procedures of such permit process, including criteria for approval, shall be established by the director of community development. Any person dissatisfied with the decision of the director of community development may appeal such decision within ten (10) days of the date of such decision in accordance with Section 16.92.210.

(c) If an applicant can demonstrate that a diligent investigation of available noise abatement techniques indicates that compliance with the requirements of this chapter would be impractical or unreasonable, a use permit to allow an exclusion from the provisions contained in all or part of this chapter may be issued by the planning commission pursuant to the terms and provisions of Chapter 16.82, with appropriate conditions to minimize the public detriment caused by such exclusion. (Ord. 892 § 2 (part), 1999).

8.06.065 Ministerial permits.

(a) The director of community development, or his/her designee, shall issue a permit exempting an existing industrial facility from the provisions of this chapter and the provisions of Section 16.08.095 if the following objective standards are met by the applicant:

(1) The facility is on land that is zoned for industrial uses as of the effective date of the ordinance codified in this chapter* and is located on the San Francisco Bay side of State Highway 101 and

north of the Dumbarton spur railway line.

(2) The facility is at least twenty (20) acres in size. (The facility may be comprised of one (1) or more contiguous parcels under common ownership and use.)

(3) As of January 1, 1999, the facility conducted multi-shift operations that included night-time and weekend operations.

(4) All stationary sources of noise from the facility do not exceed the following noise levels as measured at a residential property line that is closest to the fence-line of the facility: sixty (60) dBA between the hours of six (6) a.m. and ten (10) p.m.; and fifty-seven (57) dBA between the hours of ten (10) p.m. and six (6) a.m. (If multiple residential property lines are the same distance from the facility fence-line and no one residence is closer, the facility operator shall carry-out qualification noise monitoring at the residential property line that receives the greatest amount of noise from the facility.) The date of the qualification noise monitoring by the applicant shall be specified by the director of community development. The qualification noise monitoring on the date specified by the director shall occur during four (4), ten (10) minute periods with one (1) each at mid-morning (nine (9) to ten (10) a.m.), mid-afternoon (three (3) to four (4) p.m.), late evening (ten (10) to eleven (11) p.m.), and early morning (five (5) to six (6) a.m.). An independent noise consultant chosen and paid for by the applicant, and subject to the approval of the director, shall conduct the qualification noise testing.

(5) The initial application for a permit pursuant to this Section 8.06.065 is filed with the director of community development within six (6) months of the effective date of this chapter.*

(b) A facility that has been issued a permit pursuant to this Section 8.06.065 shall operate its permitted facility in such a manner that all sources of noise on the facility do not exceed sixty (60) dBA as measured at residential property lines between the hours of six (6) a.m. and ten (10) p.m., or fifty-seven (57) dBA as measured at residential property lines between the hours of ten (10) p.m. and six (6) a.m.; provided, however, that mobile sources of noise on the facility (i.e., conventional over-the-road vehicles and powered industrial tractors or forklifts) may exceed the noise limits of this section for brief periods when vehicles are entering and exiting the site as part of shift changes.

(c) Every facility that is issued a permit pursuant to this Section 8.06.065 shall:

(1) Identify an individual with primary responsibility for noise monitoring and noise control at the facility;

(2) Maintain a log of any noise complaints received by the facility and a log of actions taken to respond to such complaints;

(3) Maintain a formal internal engineering review process that will ensure that any proposed changes at the facility that could significantly increase the noise from the facility are identified prior to the change and appropriately engineered so that the facility does not exceed the noise limitations specified in Section 8.06.065(b);

(4) For equipment located outside of buildings or on rooftops that is a significant noise source, at the time of replacement because of equipment breakdown, inefficiency, inadequate capacity or obsolescence, put forth a good-faith effort to replace such existing equipment with equipment that is designed and installed so as to reduce the noise level from the facility;

(5) Establish a formal inspection and preventive maintenance program for all pieces of equipment located outside of buildings or on rooftops that are significant noise sources at the facility (such a program should be designed to prevent noise problems from developing because of mechanical problems with the equipment and to detect significant changes in equipment noise levels during inspections so as to prevent nuisance noise complaints);

(6) Undertake an annual program of noise monitoring. The annual program of monitoring shall include, at a minimum, monitoring for three (3) consecutive weekdays and two (2) consecutive weekend days during which noise monitoring measurements occur for ten (10) minute periods, four (4) times per day during: mid-morning (nine (9) to ten (10) a.m.); mid-afternoon (three (3) to four (4) p.m.); late evening (ten (10) to eleven (11) p.m.); and early morning (five (5) to six (6) a.m.). The annual program of noise monitoring shall be designed to: (A) ensure compliance with the requirements of Section 8.06.065(b); (B) identify any significant changes in noise levels; and (C) identify possible opportunities for noise reduction. The annual program shall be a self-monitoring program at the option of the facility; provided, however, the director of community development shall have discretion to periodically request independent verification of such

monitoring data by an independent noise consultant chosen and paid for by the facility and subject to the approval of the director;

(7) Prepare and submit to the director of community development a report on the efforts to monitor and reduce the noise associated with the operation of the facility and to respond to any noise complaints (the noise monitoring and abatement report). The operator shall submit the noise monitoring and abatement report annually on February 1st following the issuance or renewal of a permit pursuant to this section. The noise monitoring and abatement report shall include a summary list of any noise complaints received during the reporting period and the actions taken, and describe: the results of the annual program of noise monitoring as set forth above; ongoing monitoring and maintenance of existing equipment in order to control noise; any specific noise reduction efforts during the reporting period, including specific projects and capital outlays, to reduce the amount of noise from the permitted facility; and any future plans to attempt to further reduce the noise generated from the operation of the facility.

(d) A permit issued pursuant to this Section 8.06.065 may be revoked by the director of community development if the director establishes by a preponderance of the evidence that sources of noise from the facility consistently exceeded the limits as specified above in Section 8.06.065(b) for eight (8) days within any twenty-eight (28) day period, except for construction work undertaken by the facility under a city building permit and conducted between the hours of eight (8) a.m. and six (6) p.m. Monday through Friday.

(e) A permit issued pursuant to this Section 8.06.065 shall be valid for an initial term of ten (10) years. A facility may apply for the renewal of a permit at any time prior to the expiration of the prior permit. The term of any renewed permit shall be five (5) years.

(f) Any decision of the director of community development pursuant to this Section 8.06.065 shall be subject to appeal as provided in Section 16.92.210. (Ord. 892 § 2 (part), 1999).

(part), 1999

<< previous | next >>

* Editor's Note: Ordinance 892, which enacted Chapter 8.06, is effective on May 20, 1999.

8.06.070 Time for compliance.

(a) Nonresidential operations in existence prior to May 20, 1999, shall be granted a six (6) month period within which to comply with provisions of this chapter. Any facility not in compliance by the end of such six (6) month period may apply for a temporary permit, as described in Section 8.06.060(a) to be excluded from the provisions of this chapter. This section shall apply only to nonresidential facilities already in existence or for which work of improvement had commenced prior to the date this chapter went into effect.*

(b) Except as provided in subsection (a) of this section, or as provided in Section 8.06.065, all other operations in existence prior to the date this chapter went into effect* shall have three (3) months to comply with the provisions of this chapter or apply for a temporary permit for additional time to comply. (Ord. 892 § 2 (part), 1999).

* Editor's Note: Ordinance 892, which enacted Chapter 8.06, is effective on May 20, 1999.

8.06.080 Administration.

The provisions of this chapter shall be administered by the chief of police and his or her authorized representatives, except where expressly provided otherwise. All other officers and employees of the city shall assist and cooperate in the administration and enforcement of this chapter. (Ord. 892 § 2 (part), 1999).

8.06.090 Violations.

First time violators will be warned and subsequent violations of the provisions of this chapter shall be guilty of an infraction and shall be punished as provided in Chapter 1.12.010(b). (Ord. 892 § 2

12.3-140



L_MID-TID1



L_MID-TID1

October 1, 2007

Paul Maltzer
Environmental Review Officer
WSIP DEIR
1650 Mission Street, Suite 400
San Francisco, California 94103

Dear Mr. Maltzer:

As senior water rights holders and long-time stewards of the Tuolumne River, the Turlock and Modesto irrigation districts ("Districts") welcome the opportunity to provide comments on the Draft Program Environmental Impact Report ("PEIR") for the San Francisco Public Utilities Commission's Water System Improvement Program ("WSIP"). Written comments submitted on October 25, 2005 and April 26, 2007, during earlier phases of the EIR process, are attached hereto and incorporated herein by reference.

We offer the following comments on the June 29, 2007 version of the Draft PEIR.

General Comments

The Districts strongly support the City and County of San Francisco's ("CCSF") efforts to replace an aging infrastructure and to make the necessary earthquake retrofits and other improvements needed to meet modern seismic standards. However, we are concerned about the proposed operational changes and how those changes may impact the Tuolumne River flows or the Districts' water supplies.

The Districts previously requested copies of the models used by the CCSF in analyzing the impacts associated with the WSIP to evaluate the proposed project to determine if: (1) the assumptions made with respect to the Districts' operations are correct; (2) the impacts to the Districts' water and power resources; and (3) the impacts to the Tuolumne River and its fishery resources. Our review of the Draft PEIR reemphasized the need for the Districts to review the models in order to be able to provide informed comments on the Draft PEIR. For example, the logic and assumptions that the hydrologic model uses in its decision process are not clear and there are unexplained inconsistencies. It appears the maximum Don Pedro capacity stated on page 5.3.1-32 is too high, monthly storage values for Don Pedro shown on Table 2.6.3 of Appendix H2-1 appears incorrect, and the model appears to use incorrect criteria for the Districts' dry water year operations resulting in incorrect Don Pedro Reservoir storage numbers. Consequently, we are renewing our request for the models. In addition, we request a 60-day

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01

Paul Maltzer
Environmental Review Officer
WSIP DEIR
October 1, 2007
Page 2

extension of the comment period after receipt of the models to allow for a full evaluation of the models and to enable the Districts to supplement the comments contained herein. The WSIP relies upon assumptions related to the various water rights and entitlements claimed by the CCSF. The Draft PEIR should provide sufficient information to substantiate the validity of those rights, and the ability to increase the CCSF diversions from the Tuolumne River. With that rationale, the Districts can then evaluate the adequacy of the CCSF claims.

01
cont.

02

The stated fundamental principles guiding the WSIP are (1) "maintaining a clean, unfiltered water originating from Hetch Hetchy Reservoir..." and (2) to "maintain gravity-driven system." (Draft PEIR, page 5-6). This, of course, is understandable given that it is the best quality water available to CCSF and is delivered by gravity. However, CCSF uses these principles to reject alternatives to the project that would result in significantly less environmental impact on the Tuolumne River. It is also important to note that the surface water treatment technology used by most other water suppliers in California are available to meet water quality requirements for other water supply sources, and that most other water suppliers must use pumps to pressurize systems. Such programs can be more costly, but are available to help meet the CCSF's water supply needs. Conformance with the two fundamental principles and other specific "goals and objectives" are not sufficient grounds by themselves to summarily dismiss other available alternatives with less environmental impact.

03

Specific Comments

WSIP Flow and Volume Numbers Need to be Clarified

It is difficult for the Districts as well as other reviewers to evaluate the potential impacts of the WSIP or the validity of the assumptions made in modeling and evaluating the Tuolumne River system, without clarification of the flow and volume numbers used in the analysis. As previously indicated by the Turlock Irrigation District ("TID") in its April 26, 2007 letter, the CCSF should be clear in the Draft PEIR whether millions gallons per day ("MGD") numbers are intended to express an instantaneous rate of flow, such as cubic feet per second ("cfs"), or a total volume of water, such as acre-feet ("AF"). For clarity, we asked if the MGD is intended as an average rate of flow, then the expected minimum to maximum range of flow rates must be disclosed. If MGD is being used for a total volume of water, then both the MGD number and the intended AF number should be reported.

04

The MGD and AF numbers requested in the April 26, 2007 letter form the heart of the Tuolumne River issues and are absolutely necessary for meaningful analysis of the adequacy of the Draft PEIR. A preliminary review of the Draft PEIR shows that these issues have not been clarified as requested. As a result, it is unclear what the anticipated diversion amounts and flows will be with the WSIP, and how they differ from current conditions. Providing the aforementioned data, in a clear format, is essential for Districts to evaluate the WSIP. The Districts renew their request for the models; that the CCSF provide the requested flow data in tabular format; and that sufficient time is given to review the additional data and provide comments.

Paul Maltzer
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Proposed Water Transfers

Under Section 3.6.2 "Proposed Drought Water Supply" (pages 3-36 and 3-38) the Draft PEIR envisions the transfer of 27,000 AF of water from the Districts to the CCSF. The Districts do not believe there is sufficient water within the watershed under dry conditions to support the transfers as described in the Draft PEIR. It is inappropriate, therefore, to include the proposed transfer as a part of the CCSF's water supply plan. In addition, the Draft PEIR's discussion of the proposed water transfer from the Districts is [wholly] inadequate for CEQA purposes. A project-specific EIR is legally required to describe the proposed transfer in detail and to thoroughly assess all potential impacts.

05

The Draft PEIR does not discuss the publicly announced proposed Oakdale Irrigation District ("OID") water transfer involving a water exchange with the Modesto Irrigation District ("MID") and, consequently, does not state whether the proposed OID water transfer is intended to substitute for or to be in addition to the CCSF's proposed TID-MID water transfer. If the 28,000 AF OID transfer is intended to be in addition to the 27,000 AF TID-MID transfer, then the potential cumulative environmental impact of some 55,000 AF being eliminated from the Upper Tuolumne River and from the Lower Tuolumne River and the Delta could be significant.

06

Water Quality Impairments may Worsen with Additional Diversions Proposed by WSIP

The San Joaquin River system and its tributaries are currently listed as impaired for a variety of water quality parameters, with others being proposed. For example, the Department of Fish and Game has asked the Central Valley Regional Water Quality Control Board to "list" the San Joaquin River system as "impaired" for temperature, under Section 303(d) of the Clean Water Act. The Draft PEIR proposes increases in mean daily river temperatures of 1-2 degrees Celsius during 15% of the months modeled (page 5.3.3-19), which would be significant, if the river system is already "impaired." Any reductions in lower Tuolumne River flow could exacerbate current conditions. The impacts to the Tuolumne River or San Joaquin River water quality by the WSIP should be thoroughly evaluated and mitigation measures proposed where necessary to ensure that implementation of the WSIP would not result in reduced water quality or increased burdens on other water agencies within the San Joaquin River system.

07

Additional Instream Flow Requirements

In Section 3.7.1, page 3-43, the Draft PEIR states, "Although the fishery release requirements that FERC may impose in 2016 cannot be anticipated at this time, the CCSF assumes, for the purposes of the WSIP, that it will be able to continue its current agreement with TID and MID to pay them to provide all the additional water, if any, required for the fishery releases." CCSF should not assume that it will be able to purchase water from the Districts to meet its future instream flow requirements.

08

While the increased diversions proposed under the WSIP accrue solely to CCSF's benefit, they could potentially result in future measures being imposed by the Federal Energy Regulatory

Commission ("FERC"), or other regulatory agencies. Under Article 8(a) of CCSF's Fourth Agreement with the Districts, CCSF has agreed that "any burdens or change in conditions imposed on account of benefits accruing to City shall be borne by City." As such, any new or additional water release requirements imposed on the Districts as a result of CCSF's increased diversions are to be borne by CCSF.

08 cont.

The CCSF should include in their analysis additional releases down the Tuolumne River to meet future instream flow requirements due to the future actions of the FERC, or other regulatory agencies. To accommodate the ability to increase instream flows, yet still provide the necessary water supplies to its customers, the CCSF should re-evaluate the potential opportunities to recapture some of those flows at a lower point in the system.

Compliance with the Raker Act Requirements

The Hetch Hetchy project, as described in the Draft PEIR, was developed under the authority of the Raker Act. The Raker Act, enacted by Congress in 1913, is a conditional grant of an easement through Yosemite National Park. It was the intent of the Raker Act that San Francisco first develop and use its own water resources before exporting Tuolumne River supplies. It states that CCSF may not export from beyond the San Joaquin Valley any more water of the Tuolumne watershed "than, together with the waters which it now has or may hereafter acquire, shall be necessary for its beneficial use for domestic and other municipal purposes." (38 Stat. 242, section 9(h).)

09

As stated in the Draft PEIR, the CCSF must adhere to the Raker Act. The program evaluated in the Draft PEIR proposes to increase diversions from the Tuolumne River. With today's technology there are additional resources available to the CCSF and its customers, that were not available in 1913, when the Raker Act was enacted, that if implemented, would eliminate the necessity for the CCSF to divert additional water from the Tuolumne River, and would continue to keep the CCSF in compliance with the Raker Act. Desalinization, advanced treatment processes, conservation options, reclamation projects, and other measures are now available which can provide significant water supplies. Many of these alternatives are evaluated in the Draft PEIR but were determined, for one reason or another, to not be in keeping with the key project principles or objectives. The Raker Act requirements supersede any project principles or objectives the CCSF may establish. As a result, the other alternatives must be fully developed before additional diversions from the Tuolumne River are considered.

Additionally, the portions of the Draft PEIR that deal with the expansion of water service appear to be driven by the future needs of the CCSF wholesale customers. Consistent with the Raker Act provisions, these additional needs should first be met through local and other available resources before proposing additional supplies be taken from the Tuolumne River. It is unrealistic to expect that the CCSF could accommodate all future demands of its wholesale customers by drawing additional supplies from the Tuolumne River watershed. Likewise, it would be imprudent for the CCSF to add additional wholesale customers.

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Environmental Review Officer
WSIP DEIR
October 1, 2007
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Therefore, the Draft PEIR should evaluate the potential options for meeting future needs through the use of local and other available resources, and not rely so heavily upon the Tuolumne River watershed for its supply. 09 cont.

Reduction in Power Supplies

The Draft PEIR acknowledges that implementation of the WSIP will result in lower inflows and operating levels at the Don Pedro Reservoir which will reduce the Districts' hydroelectric production at its powerhouse. The impact of this loss, which is projected to be 14,000 mega-watt hours of clean, renewable energy each year (Draft PEIR page 5.3.9-3), has not been adequately addressed. At a minimum, an evaluation should be made as to the impact, both to the Districts and the state as a whole, of replacing the renewable energy from a thermal resource and mitigation measures identified. This is particularly important in light of current laws and rules requiring the limiting the emissions of greenhouse gases. Simply dismissing the reduction of hydroelectric generation as de minimus is not sufficient. 10

Potential Impacts Resulting from Climate Change

The Districts question the adequacy of the Draft PEIR's analysis of the potential effects of climate change on the WSIP. A detailed analysis needs to be performed on the potential impacts to Tuolumne River water supplies resulting to the measures contained within the WSIP, with specific attention given to the proposed increased diversions and in-stream flow requirements. 11

CCSF's Lower Tuolumne River Diversion Alternative and Adequacy of CCSF's Proposed Lower Tuolumne River Mitigation Measures

It is inappropriate to take additional water supply from the Tuolumne River watershed to supply to the San Francisco Bay Area when such an action results in redirected impacts to the river system. Additional supplies needed to meet demands within the San Francisco Bay Area should be supplied by resources available to CCSF in their service area. 12

More consideration should be given to the Lower Tuolumne Diversion and the two desalination options, which were determined to have less environmental impacts to the Tuolumne River watershed. We do not believe the evaluation of those options were adequate. All three were superior to the WSIP and the Modified WSIP in terms of reduced impacts to the Tuolumne River system. 13

Furthermore, the proposed mitigation measures designed to address the potential impacts of diverting more water from the Tuolumne River are inadequate. For example, the Draft PEIR envisions only one mile of river channel restoration as compensation for the long-term reduction in Tuolumne River flows. In addition, there is no mitigation proposed for the impacts to the Districts associated with the reduced power generation that may result from the WSIP's proposed operational changes. 13

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Paul Maltzer
Environmental Review Officer
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The Districts appreciate the opportunity to provide these preliminary comments on the Draft PEIR. We anticipate that these preliminary comments will be addressed and incorporated into the Final PEIR; that the model and detailed information will be forthcoming; and that additional time will be provided to enable the Districts to complete their evaluation and provide additional comments.

Should you have any questions regarding these comments, please do not hesitate to contact Robert M. Nees at TID (209-883-8214) or Walter Ward at MID (209-526-7459).

Sincerely,



Walter P. Ward
Assistant General Manager
Water Operations
Modesto Irrigation District
P.O. Box 4060
Modesto, California 95352



Robert M. Nees
Assistant General Manager
Water Resources & Regulatory Affairs
Turlock Irrigation District
P.O. Box 949
Turlock, California 95380



L_MID-TID1



TURLOCK IRRIGATION DISTRICT
333 EAST CANAL DRIVE
POST OFFICE BOX 949
TURLOCK, CALIFORNIA 95361
(209) 883-8300

October 2, 2007

RECEIVED

October 25, 2005

OCT 03 2007

CITY & COUNTY OF SF
PLANNING DEPARTMENT

Paul Maltzer
Environmental Review Officer
WSIP DEIR
1650 Mission Street, Suite 400
San Francisco, California 94103

San Francisco Planning Department
Attn: Paul Maltzer, Environmental Review Officer
WSIP PIER
30 Van Ness Avenue Suite 4150
San Francisco, CA 94103

Dear Mr. Maltzer:

Dear Mr. Maltzer:

Please find attached copies of the two letters referenced in the Turlock and Modesto irrigation districts' comment letter on the Draft PEIR, submitted October 1, 2007. These letters, dated October 25, 2005 and April 26, 2007, were previously submitted to the City and County of San Francisco as a part of the EIR process, and are therefore already a part of the record.

Thank you for the opportunity to comment on the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP) document (dated February 28, 2005) prepared for the Programmatic Environmental Impact Report (the "WSIP Scoping Report"). The District's staff also reviewed the SFPUC Purchase Estimates and Water Supply Options Current Conditions and Year 2030 report, revised draft dated June 28, 2005 (the "Water Supply Options Report"). It is my hope that our comments will warrant special attention, given our status as the senior water right holder on the Tuolumne River.

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For your ease of reference, we had intended to include additional copies of the letters as a part of the October 1st comment submittal. It has come to our attention that they were inadvertently left off of the October 1st submittal. As a result, we are forwarding the additional copies now.

As a long-time partner on the river with the City and County of San Francisco, the District is disappointed that CCSF staff did not discuss with the District the proposed water transfers from the District before the proposal was publicly announced.

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A copy of both letters was also sent via email.

The District concurs with the proposed action by the SFPUC to remove the proposed fourth pipeline from the WSIP. In making these comments, the District will assume that the fourth pipeline will in fact be excluded from the WSIP. The District is also pleased to see that the SFPUC acknowledges that under agreements between the City and the Districts regarding the Don Pedro Project (specifically the 4th Agreement), the City has an obligation to contribute water for FERC-order fish flows for the lower Tuolumne River.

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Should there be any questions regarding the comments, please do not hesitate to contact Robert Nees at (209)883-8214 or Walter Ward at (209)526-7459.

The District is still reviewing and analyzing the information contained in the above reports. The following is a partial list of major issues that we have identified thus far and we ask that they be specifically addressed in the appropriate environmental documents going forward:

Sincerely,

Debra C. Liebersbach
Water Planning Department Manager
Turlock Irrigation District
P.O. Box 949
Turlock, California 95380

1. The water needs analysis in the WSIP is driven by SFPUC's artificial Design Drought.¹ The Design Drought consists of the 1987-92 Drought plus 2 ½ years of the 1976-77 Drought. The 1987-92 Drought was in SFPUC's own words the "most extreme

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¹ WSIP Scoping Report, pp. 17-18.



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historically experienced drought² and the 1976-77 Drought was the most severe short-term drought of record for the Tuolumne River. To put the WSIP's water needs analysis in proper perspective, the EIR must include a parallel analysis that would compare the WSIP's Design Drought with the hydrology from the actual parallel historical period, 1987-94.

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2. In order for the District to analyze the data and conclusions contained in the two reports and in the eventual EIR, the District requests that the SFPUC provide the District with an executable copy of each of the hydrologic/hydraulic computer models the SFPUC is employing "to simulate the system in order to most accurately estimate system capacity and capability under future demand conditions"³ and to model the District's operation of Don Pedro Reservoir. As partners on the Tuolumne River, it is important that the District understands how CCSF is analyzing the data and deriving its conclusions.

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3. CCSF states that "Illustrated in Figure 7 is the circumstances that Tuolumne River diversions during the Design Drought do not materially change with the increase in purchases..."⁴ However, CCSF states that ultimately they are only going to increase their baseline by 35 mgd⁵ during "Most Years" and 33 mgd during "Dry-Years." That ultimately, recycling and conservation "might" approach 10 mgd, rationing could be as high as 20% and the 117 mgd of the ultimate demand of 417 mgd will include rationing and reclaimed water. The District would like the EIR to address the impact of increasing both dry water year and average water year diversions from the Tuolumne River under existing baseline conditions to the respective increased mgd numbers needed to supply 417 mgd if the conservation and recycling programs are not completely successful.

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4. The EIR should address whether CCSF is modeling an eventual water treatment scenario for its entire water supply. While Hetch Hetchy water currently undergoes minimal treatment, the District is interested to know if CCSF plans eventually to treat all of its water supply and how that may fit within the WSIP.

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5. In light of Environmental Defense's legal opinion on CCSF's water rights, the EIR should include an analysis of the specific water rights CCSF would be relying upon to support its increased Tuolumne River diversions.

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6. It is imperative that the WSIP define the characteristics of "additional water supply via district transfers." As the District has seen no official proposal and as such, has neither discussed nor accepted any terms for a transfer, the EIR must address this issue. The SFPUC regional water supply system "draws approximately 85% of its water from a

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² Water Supply Options Report, p. 7.

³ WSIP Scoping Report, p. 27.

⁴ Water Supply Options Report, p. 27.

⁵ Both reports use million gallons per day (MGD). At times, it not clear whether the reports are using MGD as an instantaneous rate of flow like cubic feet per second or as a total volume of water like acre-feet (AF). Also, when MGD is use as a rate of flow, the expected minimum to maximum range of flow rates is not disclosed. If MGD is being used for a total volume of water, then both the MGD number and the intended AF number should be reported, e.g., 100 MGD (112,000 AF) per year, and where a range of MGD flow rates are expected, then the expected minimum to maximum range should be reported.

single remote watershed, feeding a single aqueduct system, delivering water 120 miles by gravity to Bay Area reservoirs and users."⁶ That statement dramatically emphasizes that proposed water transfers from the Districts would place even further reliance on that "single remote watershed" and would not meet the SFPUC Program Objectives of providing reliable water and optimizing the system's ability to withstand disasters.⁷

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cont.

Again, thank you for giving us the opportunity to comment on the WSIP. I look forward to hearing from you. Please feel free to contact me directly at (209) 883-8211 with any questions.

Sincerely,

Larry Weis
General Manager/CEO
Turlock Irrigation District

⁶ WSIP Scoping Report, p. 4.

⁷ WSIP Scoping Report, p. 20.

12.3-145



April 26, 2007

VIA FAX (415) 558-6409 & U.S. Mail

San Francisco Planning Department
 Attn: Paul Maltzer, Environmental Review Officer
 1660 Mission Street, Suite 500
 San Francisco, CA 94103-2414

Re: Case No. 2007.0118E – San Joaquin Pipeline System Project

Dear Mr. Maltzer,

Thank you for the opportunity to comment on the proposed scope and content of the Environmental Impact Report for the proposed San Joaquin Pipeline System Project of the Water System Improvement Program (WSIP) as summarized in the Notice of Preparation of an Environmental Impact Report and Notice of Public Scoping Meeting dated March 28, 2007 (Notice). It is my hope that our comments will warrant special attention given our status as a senior water right holder and a partner with the City and County of San Francisco (CCSF) and the Modesto Irrigation District (MID) on the Tuolumne River and as a CEQA Responsible Agency for certain aspects of the WSIP (discussed below). Our comments dated October 25, 2005, are attached hereto and incorporated herein by reference.

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Based upon the new information being provided by CCSF in the Notice and at the April 18 Scoping Meeting in Modesto, TID has the following comments on the proposed scope and content of the EIR:

1. **CCSF Needs to Clarify the WSIP Water Numbers.**

As previously pointed out by TID, CCSF staff uses the term "million gallons per day" or "MGD" in its WSIP documents. Many times, it not clear whether MGD is intended to express an instantaneous rate of flow, such as cubic feet per second (cfs), or a total volume of water, such as acre-feet (AF). Also, when MGD is intended as a rate of flow, the expected minimum to maximum range of flow rates are not disclosed. If MGD is being used for a total volume of water, then both the MGD number and the intended AF number must be reported for clarity, e.g., 100 MGD (112,000 AF) per year, and where a range of MGD flow rates are intended, then the expected minimum to maximum range should be reported.

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For example, page 13 of the September 6, 2005 Notice of Preparation for the WSIP (Case No. 2005.0159E), states that the SFPUC would "Acquire up to 25 mgd of supplemental dry-year Tuolumne River water through water transfer agreements with Modesto Irrigation District and/or Turlock Irrigation District." Since a rate of 1 MGD for 365 days is 1,120 AF, 25 MGD can mean 28,000 AF per year. In Table 3, page 31 of June 28, 2005 Revised Draft SFPUC Purchase Estimates and Water Supply Options Current Conditions and Year 2030 Projections, lists a "Districts' Transfer" of 29,000 AF per year.

Over the last two years of WSIP planning, TID has noticed that the various numbers reported by CCSF have varied, which is understandable; however, it is difficult to ascertain what the current numbers being used are. Therefore, it is important that the DEIR clearly provide the following numbers* and the basis for their calculation in the CEQA documents:

Metric	Existing Baseline (??? - 200?)	New WSIP Numbers (2030 Level of Service)
San Joaquin Pipeline instantaneous maximum rate of flow	290 MGD ??? 449 cfs ???	313 MGD 484 cfs
San Joaquin Pipeline average annual delivery	260 MGD ??? _____ AF	300 MGD ??? _____ AF
San Joaquin Pipeline average daily flow when any one segment of the system is taken out of service for maintenance	_____ MGD _____ cfs	271 MGD 419 cfs
San Joaquin Pipeline average annual delivery during the 30% driest water years (Critical and Dry water years)	_____ MGD _____ AF	_____ MGD _____ AF [projected]
Tuolumne River System Firm Yield	_____ MGD _____ AF	_____ MGD _____ AF
Local System Firm Yield	_____ MGD _____ AF	_____ MGD _____ AF
Total System Firm Yield	_____ MGD _____ AF	_____ MGD _____ AF

*TID staff could not ascertain the current numbers for many of the above key metrics from the WSIP documents so question marks and the blank spaces have been inserted as placeholders.

2. **Impacts of Global Warming on CCSF's Tuolumne River Water Supply.**

At the request of CCSF Hetch Hetchy Water and Power staff, TID staff ran an analysis of the possible impacts of global warming on the Tuolumne River watershed runoff using its state-of-art Hydrologic Forecasting Analysis Model (HFAM) developed by Dr. Norman

25 cont.

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Crawford for the period 1931 to 2000. The preliminary results of the computer runs have been shared with CCSF staff. This EIR and the Programmatic EIR (PEIR) need to address the potential impact of global warming on CCSF's Tuolumne River System Firm Yield.

↑ 26 cont.

3. Project Alternative -- Increased Diversions and Districts' Transfer through New Lower Tuolumne River Diversion.

Any permitted increase in diversions from the Tuolumne River and any mutually agreed upon water transfers from TID and/or MID should be made through a new lower Tuolumne River diversion facility, which would in part mitigate for any such increased diversions or water transfers.

TID has successfully completed the CEQA review process and is now in the design phase for its Regional Surface Water Supply Project. TID's project would divert up to 66 cfs of water from the Lower Tuolumne River at River Mile (RM) 26 near Fox Grove via an existing infiltration gallery with a maximum diversion capacity of 100 cfs that was constructed in 2003 in anticipation of the project and as part of a major riparian habitat restoration project, Special Run Pool 9, in which CCSF participated. The to-be-constructed water treatment plant will have a capacity to treat and deliver up to 42.5 MGD (47,680 AF per year) of surface water to the communities of Ceres, Hughson, Keyes, South Modesto, and Turlock within TID. This project will also benefit Chinook salmon and rainbow trout in the twenty-six mile stretch of the Tuolumne River from La Grange Dam to the infiltration gallery through increased instream flows especially during the summer months of drier water years.

27

CCSF's EIR should describe and evaluate a similar but larger diversion, treatment, and delivery project that would tie into the San Joaquin Pipeline. For example, a 100 cfs (64.6 MGD or up to 72,200 AF per year) diversion and treatment facilities at two possible locations on the Tuolumne River. The diverted surface water would be treated and delivered via a pipeline from the treatment plant to the San Joaquin Pipeline. The alternative diversion locations could be at the following general areas:

- At RM 25 and would include the riparian habitat restoration of Special Run Pool 10. This would be very similar to TID's project at RM 26 in that it would be in the gravel-bedded reach of the lower Tuolumne River where a buried infiltration gallery can be effectively employed.
- Nearer the mouth of the Tuolumne River within the sand-bedded reach of the river. The advantage of this location would be to provide additional flow for a much longer stretch of the river and a location that would be closer in distance to the San Joaquin Pipeline.

Adding a lower Tuolumne River diversion would also provide an alternative water supply when a segment of the San Joaquin Pipeline needed to be shut down for construction, maintenance, or emergencies. In fact, consideration should be given to constructing this

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alternative first to lessen the impact on water deliveries from San Joaquin Pipeline shutdowns due to WSIP construction work or operational emergencies.

↑ 27 cont.

4. TID as a CEQA Responsible Agency for Certain Aspects of the WSIP.

The WSIP's proposed dry year water transfer from TID to CCSF described in Paragraph 1 above, the lower Tuolumne River diversion described in Paragraph 3, and most likely implementation of other aspects of the WSIP affecting TID's Tuolumne River water rights or water or power operations would require the discretionary approval of TID. The CEQA Guideline, specifically 14 Cal Code Reg § 15381, defines a "Responsible Agency" as including "all public agencies other than the Lead Agency which have discretionary approval over the project." TID would like to reach agreement with CCSF on TID's role as a Responsible Agency with regards to those proposed WSIP activities that are within TID's area of expertise and/or that are subject to TID's approval.

28

5. Coordination of the PEIR and the Specific Regional EIRs.

TID learned at the Scoping Meeting that the WSIP consists of 35 proposed regional projects and 35 proposed local projects and that the PEIR is intended to be the overarching CEQA document for all 70 projects. TID's proposed Lower Tuolumne River Diversion Alternative raises significant water supply alternatives, which presumably will be discussed in the PEIR, and illustrates that the PEIR and regional specific projects need to be closely coordinated. However, it is unclear from what CCSF has presented to date, how CCSF intends to insure that these separate but intertwined CEQA processes will be coordinated both as to scope and depth of environmental analysis and as to the timing of those different processes.

29

Thank you for giving us the opportunity to comment. I look forward to hearing from you. Please feel free to contact me directly at (209) 883-8211 if you have any questions or need additional information.

Sincerely,

Bryon K. Yasuda
General Counsel

LW Larry Weis
General Manager
Turlock Irrigation District



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City of Millbrae
621 Magnolia Avenue, Millbrae, CA 94030

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- MARC HERSHMAN
Mayor
- NADIA V. HOLOBER
Vice Mayor
- LINDA T. LARSON
Councilwoman
- GINA PAPAN
Councilwoman
- ROBERT G. GOTTSCHALK
Councilman
- MARY VELLA TRESELER
Treasurer

September 28, 2007

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San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103



October 29, 2007

Ms. Diana Sokolove
San Francisco Planning Department
Major Environmental Analysis Division
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: Hetch Hetchy/Local Simulation Model (HH/LSM) used in developing the Draft Program Environmental Impact Report (PEIR) on the Water System Improvement Program (WSIP)

Dear Ms. Sokolove:

Thank you for the information provided in your transmittal of October 4th. The CD contained some of the information previously requested. However, it did not contain an executable copy of the hydrologic/hydraulic models, or the modeling assumptions utilized in the analysis.

As stated in our earlier comments, the Districts require both the executable files, as well as the output files and modeling assumption documentation to adequately evaluate and "determine: (1) if the assumptions made with respect to the District's operations are correct; (2) the impacts to the Districts' water and power resources; and (3) the impacts to the Tuolumne River and its fishery resources."

Please provide the Districts with the aforementioned models, and simulation information as soon as possible to enable us to finalize our comments on the proposed WSIP. The requested 60-day time extension submitted in the Districts' October 1st comment letter is reiterated here. The additional time is required for the Districts to fully evaluate the models and provide any supplemental comments that may be necessary. If there are any questions regarding the information requested, please do not hesitate to contact Wes Monier, at (209) 883-8321 for clarification.

Sincerely,

MODESTO IRRIGATION DISTRICT

TURLOCK IRRIGATION DISTRICT

Walter P. Ward
Assistant General Manager
Water Operations
Modesto Irrigation District
P.O. Box 4060
Modesto, California 95352

Robert M. Nees
Assistant General Manager
Water Resources & Regulatory Affairs
Turlock Irrigation District
P.O. Box 949
Turlock, California 95381

Dear Mr. Maltzer:

The city of Millbrae appreciates the opportunity to support and comment on the comprehensive draft Program Environmental Impact Report (PEIR) which the Planning Department has prepared for the Water System Improvement Program (WSIP) developed by the San Francisco Public Utility Commission (SFPUC). This small bedroom community is completely reliant on potable water from the Hetch Hetchy Water System. We have explored the potential availability of ground water within our jurisdiction and found none. We have also explored the potential for providing recycled water to the Green Hills Golf Course and our schools but found the estimated costs to upgrade our waste water treatment plant processes and install a distribution system to be exorbitant and unaffordable at this time. We have also aggressively pursued water conservation best management practices since the early 90s and believe we have been a leader in this area with dedicated conservation staffing. It is crucial to the life and well-being of our community that the ability of SFPUC's water system to withstand earthquakes be improved as well as its long term reliability.

The draft we believe will satisfy the requirements of CEQA for program EIRs. We are also concerned that the urgency and critical nature of the work outlined in the WSIP has not been sufficiently highlighted in the PEIR. The loss of San Francisco PUC's Hetch Hetchy Water System for even one week would have a catastrophic effect on this region economically, medically, environmentally, and politically. The loss of this system for any length of time would likely affect the entire nation. We believe it is absolutely crucial to the viability of this region that the WSIP be prosecuted with all due haste. No project contained in the WSIP should be separated from the whole program because each piece is necessary to achieve a seismically safe and reliable system that can consistently produce high quality drinking water.

We support the "Environmentally Superior Alternative" outlined in PEIR. However, we believe the PEIR is weak in distinguishing between the amount of water taken from the Tuolumne River by the SFPUC's system and the others who take water from the Tuolumne River. The SFPUC's share of water taken from the River is currently about 12% and even with the combined increases from retail and wholesale users would only

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City Council/City Manager (650) 259-2334	City Clerk (650) 259-2334	Public Works/Engineering (650) 259-2339	Recreation (650) 259-2360	Police Department (650) 259-2300
Personnel (650) 259-2334	Finance/Water (650) 259-2350	Community Development (650) 259-2341	Building Division (650) 259-2330	Fire Department (650) 259-2400

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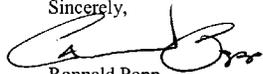
San Francisco Planning Department
September 28, 2007
Page 2

increase the total SFPUC draw to 13%. We believe this fact needs to be addressed in the PEIR. ↑ 04
cont.

We appreciate that the SF Planning Department will be evaluating the economic and environmental impacts of 10%, 20% and 30% water supply reductions due to droughts. We believe the current 20% reduction goal in the PEIR would have devastating economic and environmental impacts from which the entire Bay Area may not recover for decades, if ever. We are pleased that some economic evaluation of various levels of forced drought reductions in water supply will be evaluated. 05

Thank you for the opportunity to comment on the SFPUC's WSIP PEIR. We enthusiastically support a comprehensive review of the PEIR within the time limits planned by your department. We are very concerned that any delays would significantly increase the costs of the \$4.3 billion WSIP, especially in the current busy construction environment. Again, we believe completion of the projects identified in the WSIP on schedule is critical to maintaining both the near-term and long-term seismic survivability and reliability of the SFPUC's water system and the well being of our community.

Sincerely,



Ronald Popp
Director of Public Works

Cc:
Marc Hershman, Mayor and BAWSCA Board Member
Ralph Jaeck, City Manager
Ralph Petty, Community Development Director
David Petrovich, City Planner

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OCT 01 2007



CITY OF MILPITAS CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

455 East Calaveras Boulevard, Milpitas, California 95035-5479 • www.ci.milpitas.ca.gov

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SEP 28 2007

September 27, 2007

San Francisco Planning Department
Paul Maltzer, Environmental Review Officer, WSIP PEIR
1650 Mission St., Suite 400
San Francisco, CA 94103

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Subject: City of Milpitas Comments on the SFPUC's Water System Improvement Program Draft Programmatic Environmental Impact Report

Dear Mr. Maltzer:

The City of Milpitas supports the SFPUC Water System Improvement Program (WSIP), and we appreciate the opportunity to review and provide comment on the draft PEIR. The WSIP is urgently needed to rehabilitate the aging SFPUC water delivery system. It provides necessary seismic upgrades to help the system withstand the major earthquakes that will inevitably strike this region. 01

The SFPUC system provides approximately 60% of the City of Milpitas water supply. The health and safety of our residents and economic viability of our businesses absolutely depend upon the continuing reliability of the system. Indeed, much of the San Francisco Bay Area quality of life and economic prosperity are directly due to this vital resource, so we urge the SFPUC to proceed with the WSIP without delay. 02

We have identified the following items that need to be corrected or clarified in the PEIR.

1. **Milpitas Water Supply.** Please make the following clarifications in Section 7.3.6 (Customer-Specific Summaries) in the City of Milpitas summary and wherever the Milpitas water supply is discussed. 03
 - Include the City's three sources: SFPUC (61%), Santa Clara Valley Water District (32%), and recycled water (7%).
 - Include a statement that the City of Milpitas maintains separate potable distribution systems that are not blended under normal conditions. 04
 - Include a statement that the City of Milpitas' projected increase in water demand will occur mainly in the Santa Clara Valley Water District service area and will not impact SFPUC's water system. In the year 2030, the estimated Milpitas demand for SFPUC water supply is 8.20 mgd which is less than the City's current Supply Assurance amount of 9.232 mgd, so no impact is expected. The following data is an excerpt from Table 3-1 of the City of Milpitas 2005 Urban Water Management Plan. 05

Source	2004-05	2029-30	difference
SFPUC	6.77 mgd	8.20 mgd	1.43 mgd
SCVWD	3.53 mgd	7.13 mgd	3.60 mgd
Recycled Water	0.72 mgd	1.77 mgd	1.05 mgd
Total	11.02 mgd	17.10 mgd	6.08 mgd

05
cont.

- Include the following text: “The City purchases water from the South Bay Recycling Program and distributes it to irrigation customers via 19 miles of recycled pipelines to more than 160 irrigation customers. Recycled water use decreases the amount of potable water the City needs to purchase, thus lowering potable water demands. The City is actively promoting appropriate use of recycled water and will increase its use in the future. The City anticipates that 10% of its water use in 2030 (1.77 million gallons per day, mgd) will be recycled water.”
2. **Milpitas Water Demand.** In Section 7.3.6 (Customer-Specific Summaries) in the City of Milpitas summary, include a reference to Table 7.2 (Summary of 2030 Demand Projections, Water Supply Assumptions, and SFPUC Purchase Estimates) so it is clear where the referenced 48 percent and 46 percent come from.
 3. **Water Conservation.** In Section 7.3.6 (Customer-Specific Summaries) in the City of Milpitas summary, include the following text:

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The City of Milpitas is committed to water conservation. The adopted 2002 Midtown Specific Plan for redevelopment of this urban center includes policies requiring water conservation and use of recycled water (see item # 11 below for more details). The proposed Transit Area Specific Plan is expected to contain similar policies requiring water conservation and recycled water use. The City Council adopted Ordinance 238 titled “Water Efficient Landscapes” in 1993; see Attachment # 1. The City Council adopted Ordinance 240 titled “Water Conservation” in 1994; see Attachment # 2. See Attachment # 3 for samples of literature and program details. Estimates of water savings made for the period January 1993-October 2000 totaled 136 million gallons. The programs have continued since October 2000 but we have not tracked the savings.

08

Residential Programs: Milpitas residents have demonstrated their ability to conserve water with a per capita water use just under 80 gallons per day as shown in Figure 4-4 from the City of Milpitas 2005 Urban Water Management Plan. Residents are conserving water by requesting free Water Wise House Calls. A technician from the Santa Clara Valley Water District will check for leaks as well as provide tips for water conservation. Residents are also conserving by participating in rebate programs for high efficiency toilets, washing machines, and shower heads. Some of these programs have been offered for over the last 10 years!

- Over 5,658 showerheads given away in past 10 years
- Over 2,105 faucet aerators given away in past 10 years
- Over 5,033 toilet rebates given away in past 10 years
- Over 2,231 washing machine rebates given away in past 12 years
- Over 227 Water Wise House Calls were performed in the past 2 years

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Commercial Programs: Commercial and industrial customers can track their water usage by borrowing water meters from the City. Commercial washing machine rebates are also available. Large industrial customers recognize the value of saving water; actual data from three Milpitas customers are shown in the table below:

	2000 Usage	2006 Usage	Savings
Company A	200,964 hcf	68,007 hcf	132,957 hcf 66%
Company B	110,268 hcf	66,565 hcf	43,703 hcf 40%
Company C	49,608 hcf	36,412 hcf	13,196 hcf 27%

1 hcf = 748 gallons

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cont.

Landscape Irrigation: The Santa Clara Valley Water District offers an Irrigation Technical Assistance Program to help evaluate the business’ irrigation system as well as offer water saving techniques. 112 Milpitas sites have taken advantage of this program over the past 10 years. Landscaping for new developments are reviewed to insure compliance with AB 325 (City ordinance 238 Water Efficient Landscapes). For the past 10+ years, this amounted to 244 applications for 10,271, 805 square feet.

Recycled Water: The City of Milpitas started delivering recycled water for landscape irrigation in 1997. The program has grown to 164 irrigation customers. Over 2 billion gallons of recycled water were used during the period of October 1997 through June 2006. There are plans to add about 70 more customers over the next few years. Some areas of the Midtown Specific Plan and the proposed Transit Area Specific Plan landscape area are intended to use recycled water for landscape irrigation.

4. **Project No. SV-2 (Calaveras Dam Replacement).** Indicate in Table 3.10 (WSIP Facility Improvement Projects), Table 3.12, and wherever Project No. SV-2 is mentioned that the City of Milpitas could experience construction-related traffic for this project. Vehicles over 4-tons traveling through Milpitas are required to follow approved routes as shown on Attachment # 4 (Truck Route Map).
5. **Project No. BD-2 (BDPL 3 & 4 Crossovers).** Indicate in Table 3.10 (WSIP Facility Improvement Projects), Table 3.12, and wherever Project No. SV-2 is mentioned that Milpitas is adjacent to the project site and is listed as an alternative site under consideration. Vehicles over 4-tons traveling through Milpitas are required to follow approved routes as shown on Attachment # 4 (Truck Route Map). Add a comment: If the project is relocated to Milpitas, then Milpitas requirements for noise, traffic, vibrations, etc., will be followed.
6. **Cumulative Impacts:** Construction has already begun for selected projects within the Milpitas Midtown Specific Plan area. The City of Milpitas anticipates approval of the Proposed Transit Area Specific Plan in 2007. This Plan encompasses redevelopment of 437 acres of land to a Transit Village with high-density mixed-use development. Construction is anticipated to begin shortly after Plan approval and continue over a 20-25 year period. Include the Midtown and Transit Area Specific Plans in Table 4.17-3 Cumulative Projects.

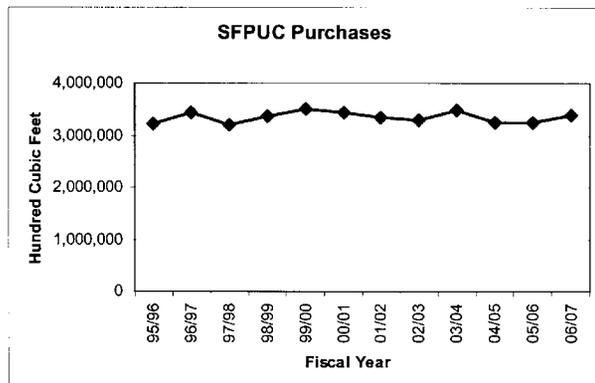
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7. **Growth:** In Section 7.1.2 (Summary of Conclusions) on page 7-6, we disagree with the 2nd bullet that states "Milpitas and East Palo Alto have experienced high rates of growth more recently." The PEIR did not provide the source of data for this statement, so we assume that the "high rates of growth" refers to population.

We developed the following table showing populations for selected BAWSCA agencies. The data was extracted from BAWSCA's 2005-06 Annual Survey (Table V) and shows that there are many other agencies that have higher rates of growth than Milpitas.

	FY 1995-96	FY 2005-06	% Chg
Coastside	13,500	17,372	28.7%
Stanford	22,346	27,715	24.0%
Westborough	9,940	12,000	20.7%
Santa Clara	98,300	108,700	10.6%
Palo Alto	56,850	62,148	9.3%
Milpitas	59,725	64,998	8.8%
East Palo Alto	24,500	25,696	4.9%

Also, as the chart below shows, Milpitas' SFPUC purchases have remained fairly stable since 1995.



8. **Milpitas Customer-Specific Summary.** Section 7.3.6 (Customer-Specific Summaries) makes reference to growth that is due to large single-family residential categories that assumes larger homes with higher outdoor water usage. This assumption is incorrect and does not accurately reflect the City of Milpitas General Plan Land Use Element, previously approved Midtown

Specific Plan (2002), or the currently proposed Transit Area Specific Plan. The goals, policies, and objectives of these plans encourage and promote high-density residential development (20-60 dwelling units per acre) and mixed-used Transit Oriented Development (TOD). As stated below, both specific plans would generate a combined total of approximately 11,400 dwelling units (over a 20 year time period) which are high-density residential (not large single family homes). Milpitas does not have land available for large single family development.

The City is committed to **Smart Growth** and has been incorporating Smart Growth designs into many developments. City voters adopted **Measure Z** in 1998, which prohibits extension of City services such as water and sewer to the hillsides. The City adopted the **Midtown Specific Plan** in 2002, which incorporates high-density housing within the urban core. In addition, the City is currently developing the proposed **Transit Area Specific Plan**, located at the intersection of the existing light rail system and future BART system, that incorporates high-density mixed-use developments reaching up to 60 dwelling units per acre.

Both the Midtown Specific Plan and the Transit Area Specific Plan are in conformance with the Transit Village Development Act. They promote:

- Neighborhoods centered around a transit area with a variety of housing styles and retail centers;
- Access to an intermodal transit system consisting of light rail, pedestrian paths, bicycle routes, and future BART; and
- Infill development that preserves open space.

Water demands are conservatively based upon 2.7 persons per household for both the Midtown Specific Plan and Transit Area Specific Plan. However, with further analysis the population estimates for the Transit Area Specific Plan was based upon 2.52 persons per household, which partially explains the discrepancy of water demand compared to the population growth rate. Note that the Milpitas 2002 Water Master Plan includes an increase in Floor Area Ratio (FAR) for several non-residential zonings in the Midtown Specific Plan, which would increase the water demand per acre. The proposed Transit Area Specific Plan also includes FAR increases for several non-residential zonings.

Revise text to indicate the future trend for the City of Milpitas is "smart growth" with high-density residential housing.

Revise the billing categories in the demand model to eliminate the new single family residential category that assumes larger homes with higher outdoor water usage and replace with high density residential housing as described in the adopted 2002 Midtown and Proposed Transit Area Specific Plans.

Revise PEIR text accordingly.

9. **Table 7.8 (Population Estimates: Water Demand vs. General Plan), page 7-28.** We do not believe that the quoted "Water Customer - Selected Population Projection for 2030" for Milpitas is correct. It needs to be revised from 88,841 to 95,014. The 2002 General Plan population of 77,100 (Table 2-1 in the General Plan) already includes the 4,860 dwelling units from the Midtown Specific Plan. Replace footnote b with the following text: "The projected

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population is based upon the population shown in the General Plan (77,100) plus the additional population accommodated by the proposed Milpitas Transit Area Specific Plan to account for 7,109 additional units with an assumed density of 2.52 persons per unit (an added population of 17,914, bringing the total population projection to 95,014). Upon adoption of the proposed Transit Area Specific Plan, the City will amend the General Plan.”

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cont.

10. **Elmwood Residential & Commercial Development, page E.6-2.** Revise text to indicate that this development does not receive SFPUC water, but receives District water for potable use and recycled water for some parks.

15

11. **Section E.4.2 (Santa Clara County).** Please add the following text below the existing Milpitas text.

Midtown Specific Plan and Transit Area Specific Plan

The City of Milpitas has two major specific plans that will impact the future development and land use within the City: 1) Midtown Specific Plan (adopted March 2002) and 2) Transit Area Specific Plan (currently being developed).

Midtown Specific Plan

The Midtown Specific Plan was adopted by the City of Milpitas in March 2002, and the plan provides for a new vision for approximately 1,000 acres of land. The overall strategy in the Midtown Specific Plan Area is to create a mixed-use community that includes high-density, transit-oriented housing and a central community "gathering place" while maintaining needed industrial, services and commercial uses. Key elements of the plan include:

- Allowing for up to 4,860 new housing units.
- High density residential development (31 to 40 units/per gross acre).
- Transit-Overlay Development (TOD) Zoning within 2000 ft. (41 to 60 units/per gross acre).
- Mixed-use to allow mixture of retail, office, housing services, and public/quasi-public uses.
- Create lively pedestrian-friendly environment.
- 20% Parking Reduction.
- Encourage assembly of parcels along S. Main Street to promote orderly development.

16

Included in the Midtown Specific Plan are:

- Policy 6.2: Reduce water consumption through a program of water conservation measures, such as use of recycled water, water saving features, and drought-tolerant landscaping.
- Policy 6.4: Continue to require new residential, commercial and industrial development south of the Hetch-Hetchy right-of-way to install recycled water lines with other utilities serving the site. Require conversion of landscape irrigation to recycled water as soon as available. Use recycled water to irrigate landscaping associated with street landscaping and the creek trail system as feasible.

Transit Area Specific Plan

The Transit Area Specific Plan was initiated in November 2004 to promote and encourage high- density residential and mixed-use development around the proposed new Milpitas BART Station located near Capitol Avenue and Montague Expressway. Currently, the Environmental Impact Report (EIR), General Plan and Zoning Change Amendments are being completed. It is anticipated that the Milpitas Planning Commission and City Council will consider the Transit Area Specific Plan within the next few months. Key elements of the plan includes:

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cont.

- Allowing for up to 7,109 new housing units
- High density residential development (20 to 40 units/per gross acre)
- Transit-Overlay Development (TOD) Zoning within 2000 ft. (41 to 60 units/per gross acre)
- Mixed-use development (280,000+ sq. ft. commercial retail, 750,000+ sq. ft. professional office space)
- Open Space for passive and active recreational use
- 20% Parking Reduction
- Construction of a New BART Station

It is anticipated that this Plan will also include policies regarding water conservation and recycled water use.

Copies of the Midtown Specific Plan are available upon request, and the Transit Area Specific Plan is scheduled to be circulated for comment shortly.

If you have questions, please contact Kathleen Phalen at (408) 586-3345 or kphalen@ci.milpitas.ca.gov.

Sincerely,

Thomas C. Williams
City Manager

- cc: BAWSCA General Manager
Public Works Director/City Engineer
Planning Director
City Attorney
Utility Engineer

- Attachment # 1 City of Milpitas Ordinance 238 Water Efficient Landscape
Attachment # 2 City of Milpitas Ordinance 240 Water Conservation
Attachment # 3 Water Supply and Conservation Programs (Binder)
Attachment # 4 City of Milpitas Truck Route Map

12-3-152



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CITY OF MOUNTAIN VIEW

Public Works Department • 500 Castro Street • Post Office Box 7540 • Mountain View, California 94039-7540
650-903-6311 • FAX 650-903-6499

L_MtnVw

Mr. Paul Maltzer
September 28, 2007
Page 2

September 28, 2007

MR PAUL MALTZER—ENVIRONMENTAL REVIEW OFFICER
WSIP PEIR—SAN FRANCISCO PLANNING DEPARTMENT
1650 MISSION STREET SUITE 400
SAN FRANCISCO CA 94103

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OCT 01 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Dear Mr. Maltzer:

The City of Mountain View appreciates the opportunity to provide comments regarding the comprehensive June 2007 Program Environmental Impact Report (PEIR) prepared by the City of San Francisco Planning Department for the San Francisco Public Utilities Commission's (SFPUC's) proposed Water System Improvement Program (WSIP) to improve the reliability of its Hetch-Hetchy regional water system.

City of Mountain View staff believes the PEIR should include a more focused discussion and greater emphasis on the urgent need to implement the WSIP improvements to protect the public health, safety and economic well-being of the more than 2.4 million Bay Area residents, businesses and community organizations that rely on the Hetch-Hetchy water system.

01

The urgent need to improve the short- and long-term seismic reliability and safety of the Hetch-Hetchy regional water system was the catalyst for the passage of AB 1832, the Wholesale Regional Water System Security and Reliability Act, and the environmental review process currently under way for the WSIP.

The PEIR should also more thoroughly acknowledge the aggressive efforts undertaken by jurisdictions and agencies throughout the Bay Area, including the City of Mountain View, to manage current and future water demand. Detailed information regarding the City of Mountain View's water conservation, water reclamation and resource-efficient land use practices is provided in Attachment 1 to this letter.

02

City of Mountain View staff has thoroughly reviewed the PEIR document and found no significant errors in the document's presentation of statistical or other information pertaining to the City of Mountain View. The City would, however, like to clarify that water service within its jurisdictional boundaries is provided by a City-owned and operated water utility, not a separate water service agency.

03

The City of Mountain View thanks the City of San Francisco Planning Department for the opportunity to provide comments regarding the PEIR.

Please contact me or Linda Forsberg, Business and Internal Services Manager, at (650) 903-6329 if you have any questions or require additional clarification regarding these comments.

Sincerely,

Cathy R. Lazarus
Public Works Director

CRL/LF/8/PSD
701-09-25-07L-E^

Enclosure

cc: CM, APWD—Hosfeldt, USM, BISM, SCE—Turner, SAA—Skinner

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CITY OF NEWARK, CALIFORNIA

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City of Palo Alto

Office of the Mayor and City Council

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SEP 26 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

September 25, 2007

Paul Maltzer, Environmental Review Officer, WSIP PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program

Dear Mr. Maltzer,

The City of Palo Alto receives all of its potable water supplies from the regional water system operated by the San Francisco Public Utilities Commission (SFPUC). Palo Alto has great interest in the Water System Improvement Program (WSIP) that aims to repair and upgrade the regional water system to increase its reliability. Palo Alto understands that the completion of the Draft Program Environmental Impact Report (PEIR) for the WSIP is a significant step towards timely completion of the urgent seismic improvement projects needed for improved earthquake reliability.

Summary of Comments

- Palo Alto commends the City of San Francisco for completing the very comprehensive PEIR for the WSIP. Preparing the Draft PEIR is a major undertaking and Palo Alto commends San Francisco on its substantial effort. Overall, Palo Alto would support a finding that the Draft PEIR on SFPUC's WSIP is adequate and, therefore, satisfies CEQA requirements.
- Palo Alto appreciates the precious nature and high quality of the water supplies delivered to it in a manner that utilizes a well-engineered system designed to flow by gravity from the pristine mountain source to end users in the Bay Area, and knows that the aging system of pipes, tunnels, dams and water treatment plants is in dire need of upgrades.
- Palo Alto urges San Francisco to move expeditiously to implement the seismic improvement projects contained in the WSIP as they are urgent for earthquake reliability. Palo Alto's City Council has named emergency preparedness as one of its top priorities.
- Palo Alto supports the environmentally superior alternative identified in the Draft PEIR, the "Modified WSIP" alternative. This alternative would result in less severe environmental impacts, particularly on the lower Tuolumne River. Palo Alto supports reducing diversions from the lower Tuolumne River as it believes that there is significant potential to conserve or recycle water rather than diverting more water from the river.
- Palo Alto believes there is a significant opportunity for implementing conservation measures through cooperative effort between the Bay Area's wholesale water purchasers and other diverters of Tuolumne River water. Palo Alto would support and commit to pay its share for aggressive conservation measures in these areas as well as in the SFPUC service area. Palo Alto is also committed to implementing cost-effective conservation and water recycling projects in Palo Alto itself.

P.O. Box 10250
Palo Alto, CA 94303
650.329.2477
650.328.3631 fax

October 1, 2007

Paul Maltzer, Environmental Review Officer
WSIP PEIR
1650 Mission Street Suite 400
San Francisco, CA 94103

Dear Mr. Maltzer:

Thank you for the opportunity to review and comment on the Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP).

We understand the draft document currently under review is for the entire WSIP and project level analysis of individual facility improvements will be considered separately for each of the 22 projects that constitute the WSIP. The City of Newark will be directly impacted by Bay Division Pipeline #5 Reliability Upgrade, as well as the Bay Tunnel Project, within the boundaries of the City of Newark. Mitigation to minimize public inconvenience, ensure public safety including proper traffic control and emergency access during construction, as well as full mitigation of impacts to improvements disrupted by the project both during and as a result of construction, are the primary concerns of the City of Newark. The specific impacts and the proposed mitigation need to be addressed with the project level environmental analysis.

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It should also be noted that the presence of a lease does not relieve the SFPUC from mitigating environmental impacts as a result of the project. Expenditure for environmental mitigation, being for a public purpose, cannot be deemed a gift of public funds. Further comment will be reserved for the more detailed project level environmental analysis.

02

Sincerely,

John Becker
City Manager
(510) 790-7272

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- The WSIP should limit drought year reductions to no more than 10% per year. Palo Alto is concerned that a plan that incorporates up to 20% cutbacks in drought years discourages long-term investments in conservation measures by providing what amounts to a “penalty” for maximizing conservation in non-drought years.
- The PEIR should clarify how the 2030 water demand projections were developed using Palo Alto’s Comprehensive Plan, which incorporates population and employment figures only through 2010. Further, the PEIR should explain the inconsistency between ABAG’s 2030 population projections for Palo Alto and the population forecast used in the PEIR. Palo Alto considers the PEIR estimates to be reasonable and realistic based on anticipated development and historic growth rates for the City.
- The WSIP project schedule should be coordinated with Palo Alto’s Gunn High School to minimize construction impacts of Project BD-2 on the school, its students, and any other users of the facilities.

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The City of Palo Alto respectfully submits the following more detailed comments on the subject Draft PEIR:

1. **Palo Alto strongly supports timely completion of the seismic improvement projects contained in the WSIP.** Palo Alto has understood since 1999 that a large earthquake in the Bay Area could result in parts of the SFPUC service area being without water for up to 60 days. The Palo Alto City Council adopted Resolution #7986 (Attachment A) in July 2000 urging the SFPUC to take immediate steps to safeguard the regional water system from earthquakes and to secure water supplies for dry years. Subsequently, City Council adopted Resolutions #8135 and #8136 (Attachments B and C) in support of bills in the state legislature that would form entities that could provide funding for the projects to upgrade and repair the regional water system.

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The Palo Alto City Council has determined that emergency preparedness is the first of its top four priorities and strongly supports projects such as the WSIP that would increase the seismic preparedness for the community and better ensure its health and safety. Palo Alto has also supported major local capital projects to improve the reliability of the Palo Alto water distribution system.

2. **Palo Alto supports the “Modified WSIP” alternative, which is identified as the environmentally superior alternative.** Palo Alto believes that completing the seismic upgrades and repairs of the regional water system are critical. While ensuring adequate water supply for the future is important, it is not nearly as urgent as completing the seismic improvements to the regional system. Since water use by San Francisco’s wholesale customers remains below the amount committed in the existing Master Water Contract, there is time to explore the development of alternate resources, including recycled water and more aggressive conservation measures. Palo Alto strongly supports the development of these alternate resources and is especially supportive of searching for water conservation opportunities wherever they make the most sense, including in the service areas of Modesto and Turlock Irrigation Districts (MID and TID).

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3. **Palo Alto believes that the transfers of conserved water from MID and TID that are part of the Modified WSIP alternative should be aggressively pursued, as this may be potentially the least expensive and most effective “new” water supply available for the regional water system.** Because MID and TID are by far the largest diverters of water from the Tuolumne River, they are an obvious source of conservation opportunities that would result in minimizing total river diversions. Palo Alto advocates that SFPUC’s wholesale customers pay for the best conservation measures, wherever they exist, to improve environmental conditions on the Tuolumne River. Palo Alto supports aggressive pursuit of conservation opportunities in the MID and TID service areas and would support creating a net increase to flows in the lower Tuolumne River to improve environmental conditions. Palo Alto is concerned about the environmental impacts identified on the lower Tuolumne River and supports significant improvements.

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4. **Palo Alto strongly supports efficient use of natural resources, including water.** Attachment D contains ordinances, resolutions, guidelines, policies, and reports that document that support. For example, Palo Alto adopted enforceable water use regulations in 1989 that made certain wasteful practices illegal, such as landscape runoff and using potable water to wash vehicles. In March 1991, Palo Alto produced a booklet “Using the Palo Alto Landscape Guidelines” to educate the public and developers on how to use effective water management methods such as automatic controller use, adjusting irrigation for evapotranspiration rates, zone planting for water needs, water budgeting, separating irrigation meters, etc. to limit water used for landscape irrigation. Palo Alto enforces landscape water efficiency standards that are in compliance with the State of California’s Water Conservation in Landscaping Act (AB 325).

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5. **Palo Alto also strongly supports stewardship of the natural environment, including responsible management of water resources and smart growth practices.** In October 2005, Palo Alto adopted modified Ahwahnee Water Principles. These principles address issues such as water contamination, storm water runoff, flood damage, and reliability of water supply. The principles promote compact community design, preservation of natural habitats, reduction of runoff, appropriate landscaping, use of permeable surfaces, dual plumbing for nonpotable water uses, and use of water conservation technologies. Palo Alto understands the relationship between land use practices and natural resource stewardship. Many of the Ahwahnee Water Principles are reflected in Palo Alto’s land use ordinances and practices. For example, in 2005, Palo Alto’s application for a Priority Development Area designation near a transit station with the potential for in-fill growth was approved. In 2006, Palo Alto adopted an ordinance amending its Municipal Code in support of pedestrian and transit oriented development combining district, to implement Palo Alto’s Housing Element and Comprehensive Plan policies in support of resource conservation. An amendment to the Municipal Code in 2007 promotes sustainable landscaping (Chapter 18.40.130), stream corridor protection (Chapter 18.40.140), and storm water quality protection (Chapter 18.40.150). Also, in 2007, Palo Alto adopted an ordinance amending Municipal Code Chapters 18.76 and 18.77, which address Palo Alto’s Sustainability Policy and Green Building practices.

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- 6. **Palo Alto has long offered robust energy and water conservation programs, services and technical support, to its residential and business customers.** As a provider of natural gas and electricity as well as water, the City of Palo Alto Utilities can effectively promote efficiency improvements by informing customers through its Utilities bill inserts. Attachment E contains past bill inserts specifically related to water efficiency. Along with bill inserts, City of Palo Alto Utilities has produced and/or distributed marketing materials to its customers to promote efficiency. Attachment F contains a sampling of marketing materials specific to water efficient programs and practices. City of Palo Alto Utilities also makes extensive use of advertisements in print media to get out the message on efficiency. Attachment G contains copies of ads and articles promoting water efficiency. City of Palo Alto Utilities also has an active school education program to encourage efficient use of resources. Attachment H is a collection of materials, including workbooks, flyers, and brochures used in school water efficiency education programs.
- 7. **Palo Alto's efforts to manage demand citywide are effectively illustrated in the graphic showing actual water consumption since 1965 in Attachment I.** Palo Alto's water usage peaked in 1976 at almost 20,000 acre-feet per year (AFY). After lowered consumption during the 1976-1977 drought period, usage rebounded to almost 19,000 AFY in 1988. Efforts to curb consumption during the extended drought period from 1988 to 1992 were successful with consumption since the drought ranging between 14,000 AFY and 15,000 AFY. Consumption projections for the future are flat at about 15,000 AFY, far lower than actual usage in 1976 despite increases in population and economic activity in Palo Alto over the last 30 years.
- 8. **During both the 1976-77 and the 1988-1992 drought periods, Palo Alto implemented an extensive public education program on water conservation.** Palo Alto produced many materials designed to educate the public about the drought and promote water efficiency. A sampling of these materials is found in Attachment J.
- 9. **Palo Alto has long structured its residential retail water rates to promote efficient use of water.** Since July 1976, Palo Alto has had an "increasing block rate structure" for residents. Increasing block rates increase as the quantity used increases. This rate structure is considered by the California Urban Water Conservation Council to be water conserving pricing. Attachment K contains Palo Alto's residential water rates since July 1976. During the 1988-1992 drought, Palo Alto was able to achieve the goals for water use cutbacks by increasing the differential between the rates in lower and higher use tiers. Because the conservation pricing, extensive public education, conservation programs, use restrictions and related enforcement practices that were used were so effective, Palo Alto did not need to implement rations or limits for residential customers during that drought.
- 10. **Palo Alto's ongoing efforts to encourage and invest in conservation are not well served by the proposed drought-time rationing goal of cutbacks of up to 20%.** With the threat of a pre-determined rationing goal, Palo Alto and other wholesale customers may have difficulty continuing to invest in conservation measures and recycled water projects. To the extent that demands are limited and wastes are eliminated, getting an

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- additional 20% reduction in usage is and will be difficult. The Draft PEIR evaluated a "water supply variant" with 10% maximum drought reduction and determined that the environmental impacts of such an option were similar to the impacts of the proposed program and that the average annual diversions from the Tuolumne River would be the same over a long period of time. Besides increasing supply reliability, the 10% rationing option would reduce the inevitable economic impact resulting from the extended reduction of water supplies. Palo Alto supports the 10% maximum drought reduction "water supply variant" and encourages San Francisco to select that option. In concert with the pursuit of additional conserved water from MID and TID, this option could result in no additional diversions from the Tuolumne River in droughts than the proposed program.
- 11. **The Draft PEIR addresses the concept of an additional intertie with the Santa Clara Valley Water District (SCVWD), but presents it only as a strategy that affects water supply sources.** This concept, which Palo Alto raised in its written comments regarding the Notice of Preparation of the PEIR, would increase desirable redundancy and operational flexibility for both regional systems (SFPUC and SCVWD) and offers improved emergency response. The concept could help meet or exceed the Level of Service goals for the project relating to seismic reliability and deliverability. The PEIR discusses a dry year transfer concept and a future water supply source for the SFPUC regional system and rejects those ideas with good reasons. However, the concept of using a new intertie for emergencies is not given adequate discussion. Such an intertie would be created by extending SCVWD's West Pipeline from the point where it currently ends at Foothill Expressway and Fremont Avenue in Mountain View to Foothill Expressway and Page Mill to Bay Division Pipelines 3&4. Alternately, the West Pipeline could be paralleled back to SCVWD's Rinconada Water Treatment Plant to improve reliability for both regional systems.
- 12. **Palo Alto understands that one of the crossovers between Bay Division Pipelines 3&4 for WSIP Project BD-2 is located in Palo Alto.** The site for the crossover in Palo Alto is identified in the Draft PEIR is "near Barron Creek, adjacent to the running track and sports fields at Gunn High School." According to the Draft PEIR, the project includes a valve vault of approximately 3,750 square feet with the drainage outfall located on the site and that piping to connect the facility to outfalls would be required. In addition, a control building (3 to 8 feet high) for electrical and mechanical equipment at the valve vault is required. Section 4.3 of the PEIR should include an elevation/schematic of the control building and/or vault so the reader has an understanding of what the facility will look like and how it may visually impact sensitive areas. Many of the mitigation measures for WSIP project impacts located within Palo Alto involve construction. The PEIR should state that mitigation measures may not violate City ordinances, including, but not limited to, noise and nuisance ordinances. In addition, Palo Alto expects to be involved in and consulted at an early stage in this project.

10 cont.

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The City of Palo Alto respectfully submits the following comments with reference to specific sections and pages on the subject Draft PEIR:

- 13. **Pages 4.3-17 and 6-4** list several mitigations for construction impacts. The first measure listed on page 6-4, Neighborhood Notice, in and of itself is not mitigation. This measure may make it more palatable to neighboring residents because they will know when construction will occur, but it doesn't reduce the impact. As a substitute mitigation, Palo Alto suggests coordinating with Gunn High School in order to limit construction of the crossover to times during the school year that would be least likely to result in noise and other construction impacts on school activities.
- 14. **Page 4.3-22** mentions that additional right of way/easement could be needed for the crossover outfall at the Gunn/Veteran's Administration hospital location. The PEIR should identify how much additional land will be required, when that will be determined and where it will be located.
- 15. **Page 4.3-40** of the PEIR is ambiguous as to whether the control building and/or vault will be visible from Foothill Blvd. If it will not be visible, then no mitigation is needed. If it is going to be visible, then it should be so stated in the PEIR.
- 16. **On page 4.12-10**, the first two sentences of the City of Palo Alto section should read: "Palo Alto has a total of 4,358 acres of parkland and open space areas including 32 City urban parks encompassing approximately 200 acres and several large open space and nature preserves. Foothills Park is approximately 1400 acres and the Arastradero Preserve is approximately 610 acres." Many of the City parks are dedicated parks, created by ordinance. The City Charter bans substantial building, construction, reconstruction, or development upon or with respect to any dedicated park lands except pursuant to ordinance subject to referendum.
- 17. **Page 6-6** in the last paragraph under the Cultural Resources section should clarify that it is San Francisco's Planning Department and Environmental Review Officer that will be responsible for these actions.
- 18. **Section 7.3** needs to be clarified regarding the population and employment forecasts used for the water demand projections and assumptions. The discussion should be clear that the City's projected population and employment forecasts in the PEIR for the year 2030 are assumed to be extrapolated from the Palo Alto 2010 Comprehensive Plan; the forecasts used in the analysis are within 10% and 16% of the 2010 Comprehensive Plan population and employment figures, respectively. ABAG's projected 2030 population growth cited in the PEIR for Palo Alto's Sphere of Influence is over 33% higher than the 2030 population projection for Palo Alto used in the PEIR. The PEIR does not explain why ABAG's population projections are significantly higher than the population projections used for the water demand plan given that both are for a 2030 horizon. The PEIR should explain that the City considers the forecast used in the PEIR to be a reasonable and realistic projection of Palo Alto's anticipated growth through 2030. Historically, Palo Alto has grown very slowly; the 2000 census showed a 5% increase in

population over a thirty year period from 1970. Although in the last seven years, Palo Alto has experienced unprecedented new housing development resulting in an 8% increase in population (still far below the ABAG projections), this growth cannot be sustained given Palo Alto's limited land availability and redevelopment potential; therefore, the City considers the PEIR 2030 population forecast, which is approximately a 10% growth increase from our 2010 Comprehensive Plan projected population, to be a reasonable increase.

16 cont.

Palo Alto commends the City of San Francisco for completing the very comprehensive PEIR for the WSIP, especially in the context that the WSIP is a significant step towards timely completion of the urgent seismic improvement projects needed for improved earthquake reliability.

Sincerely,

Yoriko Kishimoto
Yoriko Kishimoto
Mayor

Attachments:

- A. Resolution No. 7986 Resolution of the Council of the City of Palo Alto Recommending that the San Francisco Public Utilities Commission Take Prompt Action to Improve Regional Water Supply Reliability and Quality.
- B. Resolution No. 8135 - Resolution of the Council of the City of Palo Alto in Support of Legislation Allowing the Formation of a Regional Water Agency, Specifically Senate Bill 1870, the Bay Area Water Reliability Financing Authority Act
- C. Resolution No. 8136 - Resolution of the Council of the City of Palo Alto in Support of Legislation Allowing the Formation of a Regional Water Agency, Specifically Assembly Bill 2058, the Bay Area Water Regional Water Supply and Conservation Agency Act
- D. Water Policies and Reports Regarding Water
- E. City of Palo Alto Utilities Bill Inserts
- F. City of Palo Alto Utilities Marketing Material
- G. Advertisements and Articles relating to Water Efficiency
- H. City of Palo Alto Utilities School Education Program Materials
- I. City of Palo Alto Annual Water Supply Purchases Since 1965 and Long-Term Purchase Forecast
- J. City of Palo Alto Utilities School Special Drought Materials
- K. City of Palo Alto Utilities Residential Water Rate Schedules (since July 1976)

cc: Art Jensen, General Manager of the Bay Area Water Supply and Conservation Agency

12.3-157

26375 Fremont Road Tel (650) 948-1217
Los Altos Hills, CA 94022 Fax (650) 948-0961

**Purissima Hills
Water District**



September 28, 2007

RECEIVED

OCT 01 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT

Mr. Paul Maltzer, Environmental Review Officer, WSIP-PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California 94103

Subject: **San Francisco Water Supply Improvement Program (WSIP)
Comments on Programmatic Environmental Impact Report (PEIR)**

Dear Mr. Maltzer:

Purissima Hills Water District serves 6,000 people in Los Altos Hills with excellent quality water from the San Francisco Public Utilities Commission system. The PEIR addresses regional water supply issues that are critical to reliable water supply and fire safety in Los Altos Hills. The lack of a reliable water supply places billions of dollars of property at risk of fire including Foothill Jr. College with 18,000 enrolled students, a public elementary school, a large private high school, and over 3,000 high value residential buildings.

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Background

Fifty-one years ago, soon after San Francisco constructed the Bay Division 3 and 4 pipelines, Purissima Hills Water District was formed to tap into this reliable and high quality water supply to replace a multitude of poor quality water wells. We, along with Palo Alto, Hayward, Burlingame, Millbrae, and other Districts have come to rely on the Hetch-Hetchy system as our primary supply source, since we have no other realistic supply options.

Fifty years ago, the Town of Los Altos Hills was founded with the objective of preventing uncontrolled development in the rural foothills just south of Palo Alto and Los Altos that enveloped the Purissima Hills service area. The Town founders established a principle of "Smart Development" to protect the abundant natural resources and prevent over-building by adopting a minimum lot size of one acre.

Since its inception, the Town has transitioned from apricot and prune orchards and a one room school house, to a desirable residential community with many large and beautiful homes. The Town has grown into a vibrant, environmentally oriented community in parallel with the economic growth of Silicon Valley. People from all around the area come to Los Altos Hills for education, walking, hiking, biking, and horse-back riding and to

Mr. Paul Maltzer
September 28, 2007
Page 2

enjoy the extensive open space preserves and adjacent parklands and natural and manmade amenities of the community.

Unjustified Criticism

We take offense at the mis-characterization of our Town as a community of water wasters who squander water for irrigating lawns. In our situation, using per capita water consumption as a measure of waste is misleading and contrary to the facts. Per capita figures ignore the impact of 18,000 students and faculty who outnumber the resident population by over 2:1. Adoption of "Smart Development" principles actually reduced water consumption in the Hills to between one-half to one-tenth that of neighboring communities on a per acre basis. These communities, with six to ten homes per acre and high density condominiums and apartments, use far more water per acre than we do. As a District that uses less than 1% of the Hetch-Hetchy supply, our daily consumption is far less than the amount of unaccounted water that leaks each day from the pipes in San Francisco.

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Sense of Urgency

For most of this decade San Francisco has been laboring to develop a master plan for making the long overdue seismic improvements contained in the Water System Improvement Program. These vital improvements are in reality emergency measures that are exempt from CEQA requirements. Immediately after the Loma Prieta earthquake, East Bay MUD, the sister water utility across the Bay, developed a detailed plan for seismic improvements to their system. They are 95% complete with construction and in operation. By contrast, San Francisco has been in the EIR stage for the past two years, and is expected to continue for another three to five years for individual projects.

03

Eighteen years after Loma Prieta, we cannot wait any longer. Every day without the seismic improvements in place puts the life safety of 2.4 million people in jeopardy and risks a catastrophic loss of property resulting in wreckage of the local economy. The risk assessment included in the WSIP indicates a potential outage of up to 60 days from a major earthquake on the Hayward or San Andreas faults. The PEIR does not adequately address the catastrophic economic impacts of such a disaster. Within the past month, we have had two serious fires near our District, one on adjacent Stanford University's antenna site and one in Stevens Creek Park. Without a reliable water supply, our Town, Stanford, and the nearby businesses could have gone up in smoke, with billions of dollars of property loss, potential loss of life and immense destruction of the natural environment and wildlife.

04

Population and Water Use

We believe that "growth inducement" is a non-issue and that claims to discredit the increased water demands for 2030 are unsubstantiated. The growth documented in the WSIP to support the 300 MGD demand by 2030 is based on planned growth— derived, analyzed and approved by the legislative bodies of each entity, as well as ABAG. As history has shown, the growth will occur, not as a self-fulfilling prophesy, but as a natural

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September 28, 2007
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September 28, 2007
Page 4

result of the Bay Area's economic dynamics and attractions. To ignore this growth would be irresponsible on the part of the SFPUC's planners.

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Furthermore, the projected demand already includes the adoption of an array of conservation measures, including relative effectiveness developed by a consulting engineer. As documented by BAWSCA, per capita water consumption in the Bay Area has actually decreased significantly. While technology may offer more means for water conservation in the future, experience has shown that with the Best Management Practices already in place and demand reductions already achieved, further improvements are likely to be marginal.

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Desalination

With regard to the proposed desalination modification, we are of the opinion that it will not improve reliability or provide a substitute for surface water or banked water in an emergency. Desalination is an energy intensive process; it contributes "Greenhouse" gas because of the energy usage; it relies on electricity that will not be available during an earthquake; and it produces brine that is damaging to the environment. Major desalination plants such as at Santa Barbara have been deactivated because of the extreme cost. By contrast, the use of stored surface water allows delivery to users entirely by gravity, and produces clean hydroelectric power with no Greenhouse emissions or environmental damage.

07

Conclusion

We eagerly support the WSIP as it was developed, as analyzed in the PEIR, and without variations or further modifications except for those that would speed up project implementation. We urge the San Francisco Planning Department and Planning Commission to proceed without delay to complete the PEIR as expeditiously as possible, and to work diligently to certify the document as required by CEQA so the time critical work of WSIP implementation can proceed without delay.

08

Editorial comments and corrections regarding portions of the PEIR documents are enclosed.

Sincerely,



Daniel Seidel, President
Purissima Hills Water District

PURISSIMA HILLS WATER DISTRICT
ERROR CORRECTIONS FOR THE SFPUC PEIR

- Section 7, Page 52, has a typographical error when referring to the Town's population as 94,555. The population of the Town of Los Altos Hills is on the order of 9,455.
- Table E3.12, E3.24, and E3.35 lists employment for Los Altos Hills in the 2,700-2,800 range. This is in error. There are no commercial enterprises in Los Altos Hills. There are, however, commercial enterprises in Los Altos which has the same zip code of 94022. Institutional employment in Los Altos Hills is in the 450-470 range.
- Section 7, Page 62, and Town of Los Altos Hills General Plan (1975), General Plan Path Element (1996), Housing Element (2002), Circulation Element (1999), and Land Use, Open Space, and Recreation Elements. *The last section was updated in April 2007.*
- Section 7, Page 90, Town of Los Altos Hills Land Use, Open Space, and Recreation Elements, <http://www.losaltoshills.ca.gov/government/town-documents.html> (Website accessed March 15, 2006), not dated. *This section was adopted in April 2007.*

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Enclosure



Community Development Services

1017 Middlefield Road
P.O. Box 391
Redwood City, CA 94064

Telephone (650) 780-7240
Email: Planning@redwoodcity.org
Website: www.redwoodcity.org

September 27, 2007

RECEIVED

OCT 01 2007

CITY & COUNTY OF SAN FRANCISCO
PLANNING DEPARTMENT

San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Case No. 2005.0159E, Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission's Water System Improvement Program

Dear Mr. Maltzer:

Thank you for providing the City of Redwood City (City) the opportunity to comment on the Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program (WSIP PEIR). The comments transmitted in this letter represent the combined comments of all City departments with interest in and/or responsibility for WSIP projects within the City's boundaries. Our comments are organized from general to specific topics.

Support for WSIP and PEIR

The City of Redwood City is a member of the Bay Area Water Supply and Conservation Agency (BAWSCA) and receives 100 percent of its potable water supply from the San Francisco regional water system. The Redwood City water utility serves over 83,000 people by supplying approximately 13,000 acre-feet of water annually. Our customers include individual single family homes, mixed use and stand-alone multi-family residential developments, schools, hospitals, a wide variety of retail services, the high tech industry, heavy industrial uses, the Port of Redwood City, recreational facilities, and other important contributors to the local community and regional economy. Just as these customers rely on the City to provide them with an uninterrupted and high quality potable water supply, the City relies on the San Francisco regional water system for this same uninterrupted and high quality water supply. Redwood City, therefore, supports the WSIP and believes that its importance and need cannot be understated. While the Program Description chapter (Chapter 3) of the PEIR adequately describes the goals, objectives and details of the individual projects and water supply options associated with the Program, the overarching urgency of program implementation is somehow lost. This urgency is clearly conveyed in the program's legislative impetus, AB 1823, and needs to be communicated in the Summary and Program Description chapter.

The City of Redwood City also supports the programmatic approach to the environmental review for the WSIP. We believe the PEIR meets the requirements of the California Environmental Quality Act (CEQA) for program EIRs.

Relationship of WSIP to Bay Division Pipeline Reliability Upgrade Project

The WSIP facility improvement project with the greatest potential to impact Redwood City is the Bay Division Pipeline Reliability Upgrade Project (BDPL Nos. 1 and 2), described in Section 3.8 of PEIR, Proposed Facility Improvement Projects. This is accurately reflected in Table 3.11 on page 3-60 of the PEIR. As you are aware, the San Francisco Planning Department is currently conducting project-level CEQA review for this project (Case No. 2005.0164E). Redwood City submitted a comment letter on the Notice of Preparation (NOP) for that project on July 7, 2006, and continues to work in collaboration with SFPUC engineering staff on the design drawings for this project. Rather than comment on the BDPL project through the WSIP PEIR, we will continue our involvement with SFPUC on this project through the project-level CEQA process. Based on recent communication with SFPUC staff, we understand that the Draft EIR for the BDPL project is scheduled for public release in early 2008.

Specific Comments

Section 3.4.4 - Water Demand Studies: This section describes the methodology and assumptions used by the SFPUC to develop the water demand projections that provide the basis for 2030 water purchase estimates from the SFPUC regional water system. These projections were developed in close collaboration with BAWSCA and its member agencies, including Redwood City. The City has reviewed this section and concurs with the water purchase estimates assumed for Redwood City. As noted in PEIR Tables 3.3 and 3.4, Redwood City's water purchase estimate from the regional water system in 2030 is a range of 11.60 to 12.60 million gallons per day (mgd). Redwood City's initial best estimate (April 2005) of future water purchases was 12.6 mgd, which is the value used for SFPUC planning purposes and evaluation in the PEIR. This methodology is supported by Redwood City. The future water purchase estimate was revised to 11.6 mgd in November 2005 to reflect implementation of the Redwood City recycled water project. Redwood City's contractual supply assurance from the regional water system is 10.93 mgd (12,243 acre feet per year).

Section 4.12.1 - Recreational Resources Setting: Recreational resources in Redwood City that could be affected by the BDPL project are described on page 4.12-11. Minor corrections should be made to the acreages of the parks described in this section. Fleishman Park is 0.64 acres, Hawes Park is 1.59 acres, and Red Morton Park is 30.89 acres.

Section 4.17.2 - Projects Considered in Cumulative Analysis: This section describes the cumulative projects identified by local and regional agencies that are assumed for the cumulative impacts analysis. The projects selected for Redwood City are still relevant, but it would be helpful to know the cut-off date used for project selection. Please identify for the reader the date this list was developed.

Section 7.3.6 - Customer-Specific Summaries: This section summarizes information regarding water demand and growth projections for each wholesale customer, as well as the consistency between the growth called for in the adopted general plan and that which could be supported by the WSIP. Page 7-53 contains the discussion for the City of Redwood City. The following correction should be made to the third paragraph in that discussion. The customer-selected population projection used for Redwood City in the demand study was the City's 2003 Urban Water Management Plan (UWMP). This document was chosen because the general plan in effect at the time the demand projections were prepared (2004) was the Redwood City Strategic General Plan adopted in 1990, and the 2003 UWMP contained the most current population, employment and growth projections for the City at that time. Contrary to the text in the WSIP, the 1990 Strategic General Plan does not contain a buildout population projection, and its horizon year is 2000, not 2020 as indicated in the PEIR. Table 7.8 should also be corrected to indicate that the Redwood City population projection shown in the column titled "General Plan Population Projection for General Plan Projection Year" is the ABAG projection, not the City's

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General Plan projection. The column titled "General Plan Projection Year" should either be changed to 2000 or changed to the projection date used by the ABAG reference. The reference to the population projections in the Downtown Precise Plan EIR is accurate.

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It should be noted that Redwood City is in the process of developing a new General Plan. The General Plan will contain a Water Supply Element that is based on the City's most recent 2005 UWMP. The Water Supply Element will also highlight the significant water conservation actions the City has and will continue to implement, and will discuss how the City's Smart Growth principles support these water conservation efforts and overall water use efficiency in Redwood City.

Section 9.2.4 – Aggressive Conservation/Water Recycling and Local Groundwater Alternative:

We understand that the purpose of this alternative is to identify potentially new conservation, recycling and renewable groundwater projects that, together with existing supplies, could meet the SFPUC system-wide normal year demand of 300 mgd in the year 2030. These projects would be in addition to those already identified in the WSIP. Table 9-11 on page 9-50 of the PEIR shows low and high range yields (in mgd) for various recycled water, groundwater and conservation projects that could conceivably make greater contributions to water supply than are assumed for the WSIP (thus, we assume, the term "aggressive" for this alternative). The Redwood City recycled water project is identified in the table as a Category 2 project, which are defined as "eligible projects in early planning stages." The table indicates that the recycled water project could generate an additional low range yield of 2.2 mgd and a high range yield of 4.5 mgd. This information is accurate, and was provided to the SFPUC as part of its preparation of a Technical Memorandum on Investigation of Regional Water Supply Option No. 4 (March 6, 2006).

09

We look forward to continued involvement in this project. Please do not hesitate to contact me if you need additional information or clarification on any of the comments provided in this letter.

Sincerely,

Chu Chang for Peter Ingram
Community Development Services Director
Voice: 650-780-7379
Fax: 650-780-0128
E-mail: pingram@redwoodcity.org

Copy: Nicole Sandkulla, BAWSCA

12.3-161



Environmental Services Department
MUNICIPAL WATER SYSTEM DIVISION

September 27, 2007

RECEIVED

SEP 28 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Paul Maltzer, Environmental Review Officer, WSIP PEIR
San Francisco Planning Department,
1650 Mission Street, Suite 400,
San Francisco, CA 94103

SUBJECT: Water System Improvement Program PEIR Comments

Dear Mr. Maltzer:

The City of San Jose Municipal Water System (SJMWS) has reviewed the Programmatic Environmental Impact Report (PEIR) for San Francisco Public Utility Commission's (SFPUC) Water System Improvement Program (WSIP), and is pleased to provide comments and supplemental information supporting some of the WSIP's statements and conclusions. We believe the WSIP is a critically important and time sensitive project, which will ensure a reliable, sustainable system for the millions of local citizens who rely on the SFPUC for all or a portion of their water supply. San Jose is committed to working with our community to conserve natural resources and safeguard the environment for future generations. SJMWS generally supports the PEIR as written, and would like to take this opportunity to express support of the environmentally superior alternative, namely, the Modified WSIP, which will ensure continued delivery of a vital resource to the public while simultaneously promoting conservation and environmental preservation.

01

The WSIP highlights the need for local communities to work together in order to promote efficient use of supplies, and SJMWS has demonstrated continued support of this approach in its operations. The City of San Jose serves potable and recycled water to several portions of San Jose, including part of the North San Jose/Alviso area. SJMWS's North San Jose/Alviso service area meets its water demands through a combination of potable and recycled water supplies. Currently, 90% of demands are met by potable water from SFPUC, and 10% is supplied from recycled water. Additionally, SJMWS has implemented a wide range of conservation measures in order to reduce customer demands. While SJMWS generally supports the PEIR's project analysis, we would like to take this opportunity to provide corrections and supplemental facts to the information relating to San Jose.

02



Water Conservation

Water conservation activities for the SJMWS are implemented by the City of San Jose's Water Efficiency Program (WEP) and the Santa Clara Valley Water District (SCVWD). WEP has focused primarily on implementing indoor water conservation programs throughout the San Jose/Santa Clara Water Pollution Control Plant's tributary area. The SCVWD implements both indoor and outdoor water conservation programs throughout Santa Clara County. A sample of historic and current conservation programs, information, brochures and marketing materials promoted within the Santa Clara County area is included in Attachment A. In addition to these regional efforts, the City of San Jose has implemented additional water conservation policies, including Water Waste Prevention ordinances and inverted block rates to promote the efficient use of potable water supplies (see Attachment B).

SJMWS has been a signatory of the California Urban Water Conservation Council (CUWCC) since 1995. As a signatory, SJMWS is obligated to implement several conservation programs and submit Best Management Practice Activity Reports and Coverage Reports to the CUWCC reporting database on a biennial basis.

The City of San Jose is currently in the process of developing a City Water Conservation Plan (Plan), which will outline the City's commitment to increasing citywide water conservation by 30,000 acre-feet per year by 2030. The Plan will build upon the above mentioned programs and policies to outline the steps the City will take towards accomplishing this goal, and is anticipated to be presented for City Council adoption in spring 2008.

Growth

The City's North San Jose Area Development Policy (Policy) will guide the ongoing growth and development of the North San Jose area as an important employment center for San Jose. The Policy is a long-range planning effort, addressing future potential growth and development needs with an emphasis on efficient and sustainable development. The Policy promotes smart growth principles, and key goals of the effort include:

- Proactively plan for growth to allow more industrial development in a way that benefits current San Jose residents.
- Allow up to an additional 27 million square feet of research and development and office space in North San Jose.
- Bring up to 83,000 new jobs to San Jose, providing additional job opportunities for San Jose residents.
- Concentrate up to 16 million square feet of the new research and development and office space in a 600 acre Urban Corporate Center core area along the light rail corridor.
- Develop an average 1.2 FAR in the core area with typical buildings of 6-10 stories.
- Focus on high-tech and corporate headquarters development.
- Create a rich pedestrian environment within the core area to encourage use of the transit system.
- Generate approximately \$520 million in funding for the construction of local and regional transportation improvements.

- Provide new high-density residential development (up to 32,000 units) in close proximity to employment centers.

The North San Jose/Alviso area currently consists of mostly commercial and industrial development, with pockets of residential areas throughout. Industrial and commercial customers currently account for the largest percentage of water use within SJMWS' North San Jose/Alviso (NSJMWS) service area. With additional development adhering to the Policy guidelines, it can be expected that residential water use will eventually account for most of the water use within the NSJMWS area. Please see Attachment C for additional information on the Policy.

Water Supply and Demand Projections

The City of San Jose has historically demonstrated an effort to expand water supply sources in an effort to conserve the limited potable supplies available to the area. In continuing to promote efficient use of water supplies and to ensure a reliable supply for the public, NSJMWS' current and projected demands will be met from a variety of sources. *The PEIR incorrectly states that "all current and projected demands adjusted for conservation will be met with SFPUC supplies." The projected demands listed in the PEIR do not account for the water demands to be met from sources other than the SFPUC.* (see Attachment D) Future demands (adjusted for conservation) in the NSJMWS area will actually be supplied from a variety of sources, including SFPUC potable deliveries, recycled water, and groundwater.

Recycled water has been supplied to the NSJMWS area since 1998, and the system has continued to expand since that time. Recycled water is supplied to the area for a variety of uses, including irrigation, industrial processing, and dual plumbing (see Attachment E). As of the end of 2006, recycled water has supplied nearly 1.3 billion gallons to the NSJMWS area (see Figure 1). Throughout the past 5 years, recycled water has consistently accounted for between nine and eleven percent of the area's total water supply. Ultimately, when the area has been developed in accordance with the above mentioned Policy, recycled water is projected to account for almost 30% of the area's total water supply. The PEIR states that NSJMWS' 2030 demands will be met entirely with SFPUC supplies, while it is actually estimated that SFPUC supplies will only account for 59% of the area's total demands, with the remaining demands to be met with groundwater and recycled water.

The expanded use of recycled water plays an integral role in meeting the increased demands associated with development of the NSJMWS area (see Figure 2). The City of San Jose, both as a recycled water wholesaler and retailer, employs many programs and strategies designed to encourage

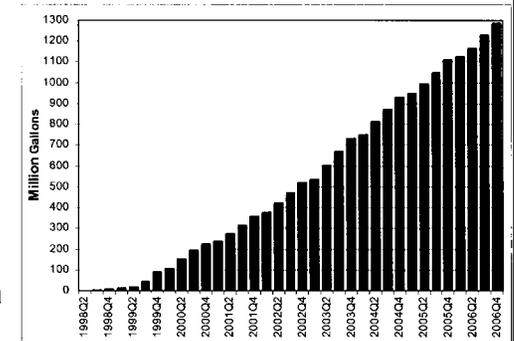


Figure 1. Cumulative Recycled Water Use in the NSJMWS Area

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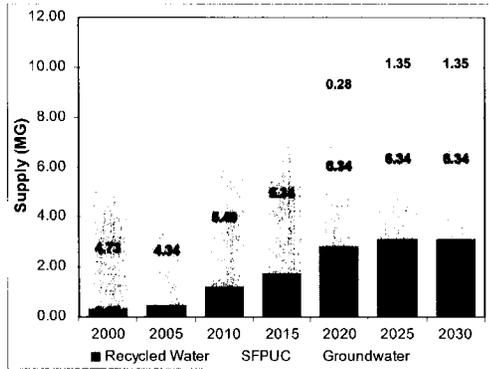


Figure 2. Historic and Projected Water Use in the NSJMWS Area

the use of recycled water, including grants, incentive programs, discounted rates, recycled water usage guidelines, and public education and outreach (see Attachment F). Additionally, if a development is located in the vicinity of the recycled water distribution system, the City's Municipal Code requires the use of recycled water for all landscaped areas in excess of ten thousand square feet. Continued and expanded implementation of these programs and requirements will help in growing the future use of recycled water.

06
cont.
07

While future water demands in the NSJMWS area will be met with a variety of sources, a reliable supply from the SFPUC system is an essential component to ensure that public needs continue to be met. Implementation of the WSIP will greatly improve the seismic and delivery reliability of a system which would otherwise be at great risk of catastrophic failure when the next large seismic event occurs.

The City of San Jose appreciates the opportunity to participate in the WSIP planning process, and looks forward to continued collaboration with the SFPUC with the goal of providing a high quality, reliable supply of water to the public. If you have any questions regarding any of the information provided, please feel free to contact me at (408) 277-4218.

Sincerely,

Mansour Nasser, P.E.
Deputy Director, Water Resources Division
Environmental Services Department
City of San Jose

cc: Art Jensen, BAWSCA
Chuck Reed, Mayor and BAWSCA Board of Directors
John Stufflebean, Director, Environmental Services Department

ATTACHMENT D

Incorrect SJMWS demand projection citations within the PEIR include:

- Chapter 3, Table 3.3 "Summary of Water Supply Assumptions and 2030 Demand Projections"
- Chapter 3, Table 3.4 "Summary of SFPUC 2030 Purchase Estimates" (delete footnote "c")
- Chapter 7, Table 7.2 "Summary of 2030 Demand Projections, Water Supply Assumptions, and SFPUC Purchase Estimates"
- Chapter 7, Table 7.3 "Summary of Base-Year and Projected 2030 Demand and Purchase Estimates"
- Chapter 7, Section 7.3.6 "Customer-Specific Summaries"
- Appendix E, Table E.2.1 "Summary of Base-Year and Projected 2030 Demand and Purchase Estimates"
- Appendix E, Table E.2.5 "Summary of Recycled Water Potential for the SFPUC Service Area (mgd)"
- Appendix E, Table E.2.6 "Summary of 2030 Demand Projections, Water Supply Assumptions, and SFPUC Purchase Estimates"

08



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San Francisco Public Utilities Commission
October 1, 2007
Page 2

October 1, 2007

BARBARA A. BRENNER
Direct (916) 319-4676
babrenner@stoel.com

San Francisco Public Utilities Commission
1155 Market Street, 4th Floor
San Francisco, CA 94103

Re: City of San Bruno Comments to SFPUC Water System Improvement Program, Draft Program EIR

Dear Commission:

The City of San Bruno ("San Bruno") appreciates the opportunity to provide the following comments to the Draft Program Environmental Impact Report ("PEIR") for the Water System Improvement Program ("WSIP").

PEIR, pp. S-18 and 3-56; also p. C-9 PEIR indicates as part of a regional conjunctive-use project, the SFPUC would construct about 10 new groundwater production wells in San Mateo County to develop about 6 mgd of potable groundwater for use as a supplemental drought-year supply. In nondrought years under this project, the SFPUC would provide potable water from the regional system to customers in Daly City, San Bruno, and South San Francisco to substitute for groundwater currently used for municipal purposes, thereby reducing groundwater pumping and allowing the groundwater basin to recharge naturally. In drought years, the groundwater would be available for local use to supplement the regional system water. This project would require agreements with the affected agencies see (Section 3.13).

San Bruno Comment The references to 6 mgd (6,700 AFY) and 10 wells are inconsistent with the 8,100 AFY and 15 wells currently used to describe the conjunctive use project. The rate of extraction changes the impact to the groundwater resource, so the actual anticipated production rate should be used, not an average including years without production. Groundwater use may be regional as well as local.

PEIR, pp. 3-18, 3-19, 5.7-87, 7-15, 7-18, 7-54, E.1-2, e.2-2, e.2-18; tables 3.3, 3.4, 7.2, 7.3, E.1.1, E.2.1, E.2-6 San Bruno Demand Projections.

San Bruno Comment San Bruno's projected cessation of groundwater is based on a worst-case groundwater scenario. San Bruno plans on maintaining its groundwater production capacity and

utilizing groundwater supplies in the future. Please refer to San Bruno's UWMP, Table 13, footnote c.

PEIR, p. 3-42 As part of the WSIP, the SFPUC would utilize a groundwater conjunctive-use program in the Westside Groundwater Basin in northern San Mateo County. Under this program, wholesale customers in this area (such as Daly City, California Water Service Company, and San Bruno, which currently pump groundwater to meet a portion of their potable demand) would receive additional supplies from the regional system during nondrought years to offset their groundwater pumping, and would cease pumping and allow the aquifer to recharge naturally. In exchange, those customers would increase groundwater pumping during drought periods, thereby reducing the amount of their purchase requests during a drought and creating a temporary reduction in system demand.

San Bruno Comment The PEIR should be clear that the program is "proposed" as the local agencies have not agreed to terms.

PEIR, p. 3-72 An estimated 14 new groundwater wells in San Francisco, Daly City, San Bruno, and South San Francisco (Groundwater Projects, SF-2).

San Bruno Comment This reference is inconsistent with the 15 wells currently used to describe the conjunctive use project in San Mateo County alone.

PEIR, pp. 5.6-8, 5.7-86 As of 2006, Cal Water had not resumed pumping and San Bruno had resumed pumping at rates of approximately 1.5 mgd (1,700 afy).

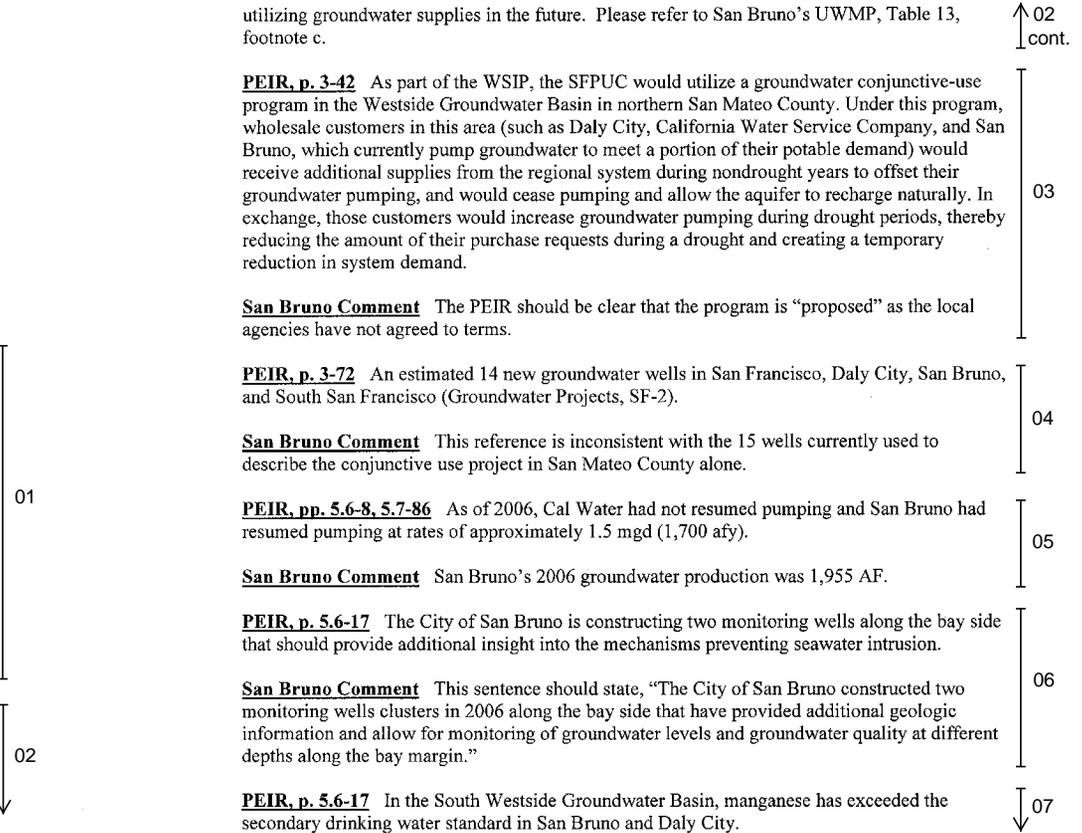
San Bruno Comment San Bruno's 2006 groundwater production was 1,955 AF.

PEIR, p. 5.6-17 The City of San Bruno is constructing two monitoring wells along the bay side that should provide additional insight into the mechanisms preventing seawater intrusion.

San Bruno Comment This sentence should state, "The City of San Bruno constructed two monitoring wells clusters in 2006 along the bay side that have provided additional geologic information and allow for monitoring of groundwater levels and groundwater quality at different depths along the bay margin."

PEIR, p. 5.6-17 In the South Westside Groundwater Basin, manganese has exceeded the secondary drinking water standard in San Bruno and Daly City.

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Oregon
Washington
California
Utah
Idaho



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San Bruno Comment Clarify that exceedances are for untreated water prior to treatment. Treated water meets secondary standards.

07
cont.

PEIR, pp. 5.6-17, 5.7-86 The total increase in groundwater storage is approximately 13,000 acre-feet.

08

San Bruno Comment The PEIR should include the basis for the 13,000 AF estimate (water levels and estimated aquifer properties).

PEIR, pp. 5.6-21 thru 5.6-22 In accordance with Section 4.68.225 of the San Mateo County Code, the San Mateo County Environmental Health Division would not grant a well permit for a large well in a public park, cemetery, or golf course that could potentially cause overdraft of the South Westside Groundwater Basin or be located in an area subject to a specific and localized groundwater problem.

09

San Bruno Comment Section 4.68.225 applies to all wells except residential use, temporary construction, cathodic protection, geophysical exploration/monitoring, and emergency wells for drinking water purposes, not just public park, cemetery, or golf course wells.

PEIR, p. 5.6-25 During drought conditions, the SFPUC would be able to reduce the quantity of SFPUC system water delivered and the stored groundwater or banked water would be available for local use to supplement supplies from the regional water system.

10

San Bruno Comment It should be clarified that a portion of the banked water may be introduced into the regional water system under specified conditions.

PEIR, p. 5.6-26 The SFPUC would construct about 10 new groundwater production wells in San Mateo County with the capacity to develop about 7 mgd (or nearly 8,100 afy) of potable groundwater as a supplemental drought-year supply for the participating pumpers. The PEIR also suggests that groundwater withdrawals would be restricted to the amount of water banked.

11

San Bruno Comment 10 wells is inconsistent with the 15 wells currently used to describe the conjunctive use project. Supplemental supply would be for participating pumpers and for the regional system.

11
cont.

Under the proposed project participating pumpers can pump both their “previously pumped quantities” as well as the quantity of banked water resulting from the project. Furthermore, the proposed conjunctive use program does not restrict pumping as described. Existing pumpers rights to pump groundwater are not altered as a result of the proposed project.

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cont.

PEIR, p. 5.7-87 The 2006 UWMP for San Bruno does not yet reflect long-term participation in the SFPUC’s proposed conjunctive-use program, but participation in this program is expected to be included in the next revision of its UWMP.

12

San Bruno Comment Change to “but, if approved, participation in this program is expected to be included in the next revision of its UWMP.”

PEIR, p. 5.7-90 To the south of this area, future pumping includes up to approximately 0.27 mgd (300 afy) of pumping from private wells and negligible irrigation pumping by the City of Burlingame.

13

San Bruno Comment Text should mention municipal pumping in future pumping estimates.

PEIR, p. 5.7-91 Although in a drought year, pumping under the Regional Groundwater Projects, in combination with municipal pumping by the participating pumpers could temporarily exceed historic high groundwater withdrawal rates, the proposed operating agreement(s), executed between the SFPUC and the participating pumpers, would outline allowable operating parameters for pumping during drought years to avoid adverse long-term conditions; an operating committee would be formed to develop annual operating maintenance plans as well as an annual operating schedule.

14

San Bruno Comment The text “could temporarily exceed” is more accurately stated as “is anticipated to significantly exceed.” It should also be noted that the proposed agreements do not alter existing pumpers rights as to groundwater use.

PEIR, p. 5.7-91 Implementation of the operating agreement(s) would ensure that impacts related to basin overdraft, saltwater intrusion, and land subsidence would be less than significant.

15

San Bruno Comment Add “by, among others, restricting pumping from conjunctive use project wells should groundwater levels fall below historical lows.”

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PEIR, p. 5.7-91 Because there are no other planned future uses of groundwater in this portion of the basin, other than the those existing uses described above that would continue, and impacts of the WSIP would be less than significant due to implementation of the proposed operating agreement(s), cumulative groundwater impacts would be less than significant.

San Bruno Comment Under the proposed project participating pumpers can pump both their "previously pumped quantities" as well as the quantity of banked water resulting from the project. Furthermore, the proposed conjunctive use program does not restrict pumping as described. Existing pumpers rights to pump groundwater are not altered as a result of the proposed project.

PEIR, p. 5.7-100 City of San Bruno Public Draft Urban Water Management Plan. December 2006.

San Bruno Comment Utilize the final UWMP, dated January 2007 and used elsewhere in the document.

PEIR, p. E.3-38 Not applicable for UWMP population projections.

San Bruno Comment San Bruno UWMP is available and contains population projections based on the draft general plan with comparisons to previous projections.

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18

Best regards,

Barbara A. Brenner

BB:cah



Diana Sokolove <wsip.peir.comments@gmail.com>

Inquiry from the City of Santa Clara re: Public Hearing for the SFPUC's Water System Improvement Program

Gloria Sciara <gsciara@ci.santa-clara.ca.us>
To: wsip.peir.comments@gmail.com

Tue, Aug 28, 2007 at 3:39 PM

** High Priority **

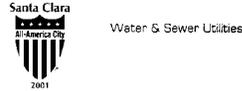
Dear Agency

Can you advise if this PEIR contains work in Santa Clara, regarding the "Bay Division Pipeline 3 and 4 Crossover Facilities Project"? If so, then we need to review the EIR. 01

Thank you for your quick response.

Gloria Sciara, AICP
Development Review Officer
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2453
(408) 247-9857 (FAX)

12.3-166



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AUG 27 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

August 23, 2007

Paul Maltzer, Environmental Review Officer, WSIP PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Maltzer:

The City of Santa Clara is pleased to offer our comments on the Water System Improvement Program (WSIP) Programmatic Environmental Impact Report (PEIR). The City of Santa Clara supports the PEIR as written. The City of Santa Clara also supports the San Francisco Public Utilities Commission's (SFPUC) WSIP preferred alternative as it is currently proposed. We urge the SFPUC to proceed with the current WSIP and not re-engineer projects. The WSIP is critical to ensuring a sustainable, reliable water system for both the City and County of San Francisco and the other bay area communities that also rely on the SFPUC system. The City is very concerned about potential service interruptions caused by earthquake damage to the SFPUC system or failure of critical infrastructure as a result of deferred maintenance. Such interruptions would not only cause disruption to a critical supply of water within Santa Clara but would even more significantly wreak havoc on our regional economy. The lack of redundancy in critical operational and delivery facilities is also of great concern given that maintenance has been deferred for many years on these critical facilities.

The City of Santa Clara is committed to the efficient use and sustainability of all of our regional water supplies. The City has demonstrated this commitment through the implementation of extensive water conservation, use of recycled water, and smart growth development. The following is a brief description of these programs and activities we are providing in order to help clarify the extent and benefits of these programs.

Water Conservation

The City of Santa Clara has a demonstrated commitment to water conservation. The City has a full compliment of water conservation programs that provide reductions for a wide variety of water uses. Copies of the various brochures and program descriptions are enclosed for reference. The individual programs are listed in the table below. Highlights of just some of these programs are also described in brief below. Detailed descriptions of the programs and

Paul Maltzer, Environmental Review Officer
August 23, 2007
Page 2

estimates of the volume of water conserved are located in the City 2005 Urban Water Management Plan.

Demand Management Measure	City Program	District Program Augmented by the City	District Program
Water audits and incentives		X	
Residential plumbing retrofits		X	
Distribution system	X		
Metering and commodity rates	X		
Large landscapes		X	
Public information		X	
School education		X	
High efficiency clothes washer rebate			X
Commercial, industrial, and institutional accounts			X
Conservation pricing	X		
Conservation coordinator	X		
Water waste prohibitions	X		
Ultra low flow toilets			X
Wet Program	X		

Water Audit and Incentives

- *Residential leak detection*- According to the AWWA report Residential Ends Uses of Water (AWWA, 1999) leaks account for 13.7% of the water used inside an average home. The primary source of leaks is toilets. The City offers free leak checks to residents in an effort to reduce the amount of water lost through leaks.
- *WaterWise House Calls* - According to the District's literature, the average program participant reduced their water usage by 30 gallons per day as a result of the audit.

Residential Plumbing Retrofits

- *Ultra Low Flush Toilet programs*. The Ultra Low Flush Toilet Programs have taken a number of different forms over the years. Initially rebates were offered as an incentive to consumers to purchase Ultra Low Flush Toilets. A full service program offered the opportunity for residents to have an Ultra Low Flush Toilet installed for a nominal fee of \$50 has been offered. One program consisted of distribution events where free low flow toilets are distributed to residents. A past program also offered a full service installation program exists for elderly, low income, and disabled individuals to provide qualifying individuals the opportunity to have an Ultra Low Flow Toilet installed at no cost to the resident. The current program offers a rebate for High Efficiency Toilets (HET)

03 cont.

Paul Maltzer, Environmental Review Officer
 August 23, 2007
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- Free low flow devices such as showerheads and aerators have been distributed by City staff since the conservation program's inception.
- High Efficiency Washer Rebate Program** - The District offers rebates for the purchase of high efficiency washers by residents or commercial facilities. According to District literature, the average household reduces water usage by 5,100 gallons per year by switching to a high efficiency washer.

Large Landscapes

- Irrigation Technical Assistance Program (ITAP)**- The program was created by the District in 1994 to assist landscape managers improve efficiency of their irrigation systems. According to the District literature, the average commercial/multi family residential site reduces water usage by 600 to 800 hundred cubic feet per acre per year after participating in the program.

Public Information Program

- Water conservation and the programs referenced above are promoted within the City by means of newspaper articles, educational displays, and public events.

School Education

- The District operates an extensive public information and education program directed at school age children. In 1994, the District's Public Information Office hired a full-time, fully credentialed educator who holds lifetime Teaching and Administrative Services credentials to coordinate the school education programs. This included developing school programs, contracting with the Youth Science Institute for additional instructors, and supervising university student interns as classroom assistants. In 2001 a second, bilingual educator joined the district's full-time staff to assist with the program. As of 2005, over 4,000 students have been educated through this program.

WET Program

The Water Efficient Technology (WET) program is a conservation program that offers rebates to commercial and industrial customers for the installation of innovative water saving technologies. A rebate amount of up to \$50,000 is available for each project. The specific rebate amount is based on the amount of water savings and the cost of the technologies installed. Examples of the types of projects and the amount of water saved are shown in the table below. These savings are permanent and will continue on into the future. WET program's combined 426 acre-feet of annual water savings comes at an very cost effective average cost of \$1300/AF/yr.

03 cont.

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Paul Maltzer, Environmental Review Officer
 August 23, 2007
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Date	Facility	Project	Rebate	Demand reduction (AF/yr)
6/17/2005	Intel Corp	RO Reject in cooling towers	\$9,688	5.6
6/17/2005	Intel Corp	RO Reject in cooling towers	\$48,492	27.8
6/17/2005	Intel Corp	RO Reject in cooling towers	\$50,000	36.1
6/17/2005	Intel Corp	RO Reject in cooling towers	\$31,672	18.2
5/25/2004	Reaction Technologies	Air scrubber retrofit	\$28,545	18.9
6/27/2002	Intel Corp	Industrial wastewater reuse	\$31,608	18.1
5/24/2001	Vishay Siliconix	RO reject reuse	\$50,000	50.1
4/19/2001	Micro Chem	Closed loop chiller	\$1,112	0.6
1/19/2001	Hadco Corp	Rinse modification	\$47,988	27.5
1/19/2001	Hadco Corp	Rinse modification	\$46,878	30.0
1/19/2001	Hadco Corp	Rinse modification	\$47,601	29.6
10/13/2000	Hadco Corp	Automate a manual process	\$476	0.3
3/31/2000	Hadco Corp	Rinse process improvements	\$50,000	29.6
12/16/1999	Peninsula Coating Services	Industrial water recycled	\$3,316	1.9
6/29/1999	Intel Corp	RO Reject reuse	\$44,753	95.2
6/25/1999	Analog Devices	Upgrade DI water system	\$36,648	21.0
5/14/1999	Intel Corp	Water reuse	\$27,044	15.5
Total			\$555,821	426.0

03 cont.

Recycled Water

The City's recycled water system has been in operation since 1989. The City's recycled water program has grown significantly from the original system which merely supply irrigation to the City's golf course and a truck filling station (see Figure 4). The City has aggressively pursued customers for recycled water including its use in industrial processes, residential irrigation and dual plumbed buildings for toilet and urinal flushing. One of the largest recent developments in Santa Clara, the Rivermark development, which represents a 10% increase in the City's population, make extensive use of recycled water including irrigation for parks, a school, median strips, commercial and residential landscaping. In addition, the 1800-



Figure 1 Rivermark Development

Paul Maltzer, Environmental Review Officer
 August 23, 2007
 Page 5

residence Rivermark development consists of medium and high density housing with significantly less irrigated area than more traditional single family developments. The Rivermark development is pictured on the previous page.



Figure 2 Santa Clara University

The City has also pursued more traditional uses for recycled water as a drought proof water source for large turf area irrigation in commercial settings. The customers currently using recycled water for large scale landscape irrigation include Santa Clara University, the Great America Theme Park, the 49ers' training facility, Santa Clara Municipal Golf Course and the Mission City Cemetery.

The City has also promoted the use of recycled water in industrial processes such as paperboard manufacturing. California Paperboard has significant success in switching their pulping process over to using 80% recycled water.

Other uses for recycled water continue to be explored as well such as recycled water in cooling towers as at the City's new 147 MW Don Von Raesfeld Power Generation Facility. This state-of-the-art low emission generation facility represents one of the largest recycled water users in the City.

Recycled water use in the City has grown to the point where recycled water constitutes more than 10% of the total water supply to the City. Recycled water use has been steadily increasing over the years as seen in the graph below. In fiscal year 2006/07, recycled water customers used 994 million gallons of this highly treated, plentiful, drought proof water supply.



Figure 3 Don Von Raesfeld Power Generation Facility



03 cont.

Paul Maltzer, Environmental Review Officer
 August 23, 2007
 Page 6



Figure 4 Recycled Water Sales

The City continues to promote recycled water and look for additional customers for recycled water that will replace potable water use. The next major pipeline extension to be funded by SBWR will supply recycled water to the City's Central Park as well as three schools and some street frontage landscaping. This will convert approximately 150 AF/year of potable water irrigation to recycled water usage. Two other pipeline alignments are identified for supply to commercial/industrial areas of the City. Although these pipeline extensions are not currently proposed for funding due to the reduction in flows to the WPCP, an additional 300 to 400 AF/year of recycled water could be utilized, primarily for irrigation and cooling. The City also continues to explore other non traditional uses for recycled water such as cooling water for large data centers.

Smart Growth

Santa Clara is a growing and thriving City. Most of the developments within the last 5 years have been higher density or mixed use developments and most of these projects were redevelopment of existing properties. These redevelopments are typically very compact, close to transportation corridors, and have minimal landscaped areas resulting in minimal outside



Figure 5 Example of mixed use development



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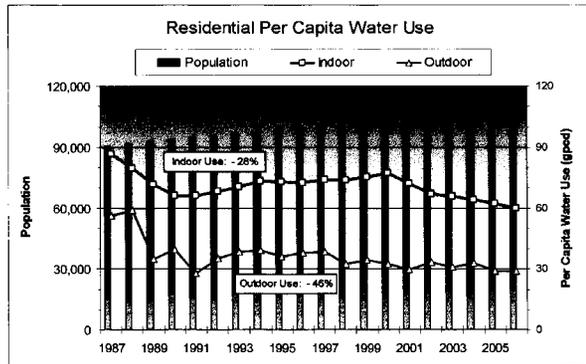
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Paul Maltzer, Environmental Review Officer
 August 23, 2007
 Page 7

water use. The City's last General Plan Amendment (2002) provided for up to 7500 added residential dwelling units including an additional 2000 residential units with new designations for sites along El Camino Real as mixed use (commercial with residential) similar to that shown in Figure 4. The City's 2030 water demand projections includes this and probable future General Plan revisions and/or Amendments that would allow further in-fill and increased density near transportation hubs like the downtown multi-modal (train) station and proposed BART extension. The State's projections for regional housing needs will assign (via ABAG) approximately an additional 5900 housing units to the City of Santa Clara which will be addressed in the next planning period.

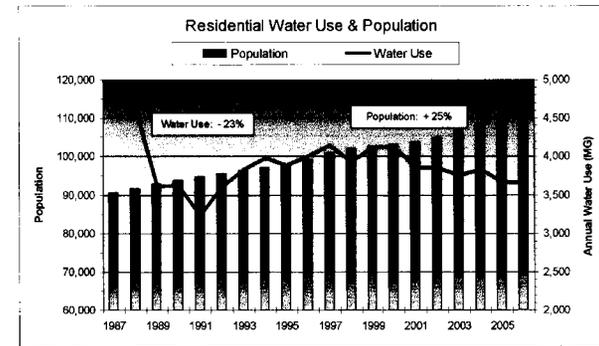
Documented results

The results of these water conservation, recycled water and Smart Growth programs are documented and measurable. Over the last 20 years the residential per capita water usage has decreased significantly. This steady decrease in the residential per capita water use is vividly displayed in the graph below. As shown in the graph below, by 2006 the residential per capita water use declined to just 89 gallons/person/day for combined indoor and outdoor water use. Over this 20 year period indoor per capita water use decreased by 28% and outdoor per capita water use decreased by 46%.



While it is true that over the last 20 years the City's populations has increased by 25%, the residential water demand has stayed relatively flat or decreased due to water conservation, changes in the plumbing code and the use of recycled water as shown by the graph below.

Paul Maltzer, Environmental Review Officer
 August 23, 2007
 Page 8



As outlined above, the City of Santa Clara is concerned about the reliability and sustainability of its water supply and the water supplies of its neighboring cities. We have made investments and taken the steps available to us to ensure our ability to supply water to the residents and businesses that call Santa Clara home. However, as noted earlier we have significant concerns regarding the reliability of the SFPUC system. Therefore, we urge the SFPUC to proceed with the preferred alternative WSIP as expeditiously as possible.

If you have any questions regarding the information in these comments, please feel free to contact me at (408) 615-2011.

Sincerely,

Robin G. Saunders
 Mr. Robin G. Saunders
 Director of Water and Sewer Utility

cc: Mr. Art Jensen, General Manager BAWSCA
 Mr. Pat Kolstad, City Council and Santa Clara Member BAWSCA Board of Directors
 Mr. Kevin Riley, Director of Planning & Inspection, CSC

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5750 ALMADEN EXPWY
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TELEPHONE (408) 265-2600
FACIMILE (408) 266-0271
www.valleywater.org
AN EQUAL OPPORTUNITY EMPLOYER

September 26, 2007

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CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

Mr. Paul Maltzer
Environmental Review Officer
Water System Improvement Program PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Comments on the Draft PEIR

Dear Mr. Maltzer:

The Santa Clara Valley Water District (District) provides wholesale drinking water supply for 1.7 million residents and is the primary water resources manager for Santa Clara County. We manage the conjunctive use of surface and groundwater resources to ensure that water supply is reliable to meet current and future demands. We actively manage the groundwater basin to optimize beneficial uses and aggressively protect the groundwater basin from contamination and minimize inelastic land surface subsidence.

As you well know, San Francisco Public Utilities Commission (SFPUC) and the District share the responsibility of providing a clean, safe and reliable water supply to cities and entities in the northern portion of Santa Clara County. SFPUC supply comprises 15% of the overall water supply in Santa Clara County and constitutes 100% of the water supply to some cities.

We expect SFPUC to continue providing its water supply in Santa Clara County and meet the projected 2030 purchase requests submitted by the wholesale customers. This expectation is described and documented in the District's and the cities' 2005 Urban Water Management Plans. The cities collaborated with SFPUC on its demand projection and water use efficiency studies and arrived at reasonable and defensible projections on future water needs. These water supply and demand projections constitute the foundation of water resources planning for the next 30 years, for the cities, SFPUC and the District.

We urge San Francisco to adopt the proposed Water System Improvement Program (WSIP) and meet all the program goals and objectives. Any diminution in levels of service provided by SFPUC could result in significant impacts to water resources in Santa Clara County with associated environmental and socio-economic consequences.

Santa Clara Valley had a legacy of land subsidence in the 1920's and 1930's due to over-extraction of ground water. Through the District's water importation and conjunctive use management, land subsidence was halted by the late 1960's and the District has been vigilant in preventing its re-occurrence. Understandably, we are very concerned with any potential re-directed impacts on our groundwater basin and local or imported surface water resources due to SFPUC's reduction in supplies or level of service provided to Santa Clara County. We also urge San Francisco to fully address any potential impacts on water supplies for the State Water Project and Central Valley Project users.

We support SFPUC's goal to maximize water conservation, recycling and desalination. The District has been very aggressive in implementing programs to maximize water use efficiency and further diversify our sources of supply. We believe these program areas are ideal for SFPUC and the District to partner with local land-use entities in their implementation. However, there are practical limits in "implementability" of these programs and they cannot be used as "stand-alone" substitute alternatives or variants because they fail to meet the overall program goals.

We look forward to San Francisco addressing our concerns adequately and adopting the PEIR and WSIP expediently so that the critical work of securing the water supply for the Bay Area communities can begin.

Sincerely,

Keith Whitman
Deputy Operating Officer
Water Supply Management Division

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Mr. Paul Maltzer

September 24, 2007 page 2

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CITY & COUNTY OF S.F. PLANNING DEPARTMENT

September 24, 2007

San Francisco Planning Department
Attention: Paul Maltzer, Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: Draft Program Environmental Impact Report for the San Francisco Public Utilities Commission Water System Improvement Program

Dear Mr. Maltzer:

On behalf of the San Francisco Bay Trail Project, I am submitting comments on the Draft Program Environmental Impact Report (PEIR) for the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP).

The Bay Trail Project is an organization administered by the Association of Bay Area Governments (ABAG) that coordinates implementation of the Bay Trail. When complete, the Bay Trail will be a continuous 500-mile network of bicycling and hiking paths encircling both the San Francisco and San Pablo bays. It will link the shoreline of all nine Bay Area counties, passing through 47 cities, and will cross major toll bridges in the region. To date, 290 miles of the proposed trail network has been developed.

The proposed Water System Improvement Program intersects with the Bay Trail alignment in the Bay Division Section (BD-1), specifically in Menlo Park. Please see the attached map showing the location of existing and proposed Bay Trail segments in this area (Exhibit A). The Bay Trail Project supports construction of the new Bay Division Pipeline 5, proposed as a five-mile underground pipeline from the Newark Valve Lot to the Ravenswood Valve Lot, because once underground, the new "Bay Tunnel" segment of the pipeline will have less impact on the adjacent marshland and recreation areas and may assist with completion of a gap in the Bay Trail.

The following comments should be considered as part of this environmental analysis:

- On page 4.12-7, the Draft PEIR states that the Bay Trail is a 400-mile corridor with 280 miles constructed. This should be corrected to state that, when complete, the Bay Trail will be a 500-mile corridor and 290 miles currently exist.

- On page S-14, Table S.2, the Draft PEIR states that portions of the above-ground Bay Division Pipeline Nos. 1 and 2 between the Newark Valve Lot and the Ravenswood Valve Lot will be decommissioned, but that decommissioning is not part of the project. We strongly recommend that the BDPL Nos. 1 and 2 be decommissioned and physically removed to reduce the existing impacts to habitat and allow for the closure of a Bay Trail gap in this area.

- On page 4-12-22, Table 4.12-2, the following should be added to "Potentially Affected Recreational Resources" for BD-1, Bay Division Pipeline Reliability Upgrade: Ravenswood Open Space Preserve, San Francisco Bay Trail.

- On page 4.12-24, the Ravenswood Open Space Preserve and the San Francisco Bay Trail should be added to the list of recreational amenities in the vicinity of the pipeline alignment for the BDPL Reliability Upgrade Project (BD-1).

- A major gap in the Bay Trail exists in Menlo Park between the Dumbarton Bridge and the Ravenswood Open Space Preserve. In 2005, the City of Menlo Park completed a feasibility study, funded by the Bay Trail Project and the Coastal Conservancy, identifying feasible alternatives for completing this gap. Completion of this gap is difficult because of the Dumbarton Rail right-of-way and the presence of the BDPL Nos. 1 and 2. This important section of the Bay Trail is necessary to connect the existing Dumbarton Bridge pathway to existing trails in the Ravenswood Open Space District and future trails that will be constructed as part of the South Bay Salt Pond Restoration Project. Once completed, this gap will serve as a key regional commute route and recreational link. As the Water System Improvement Project moves forward, we request that the San Francisco Public Utilities Commission coordinate with the Bay Trail Project, the Coastal Conservancy and the Midpeninsula Regional Open Space District to complete this Bay Trail gap.

Thank you for the opportunity to comment on the PEIR. Please contact me at (510) 464-7935 or laurat@abag.ca.gov if you have any questions.

Sincerely,

Laura Thompson

Laura Thompson
Bay Trail Project Manager

cc: Amy Hutzell, Coastal Conservancy
Michael Reeves, Midpeninsula Regional Open Space District

12-3-172

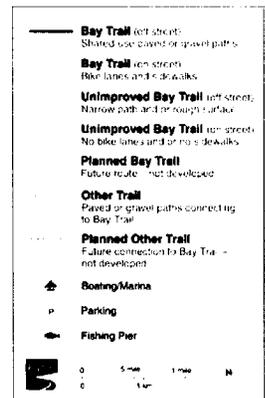
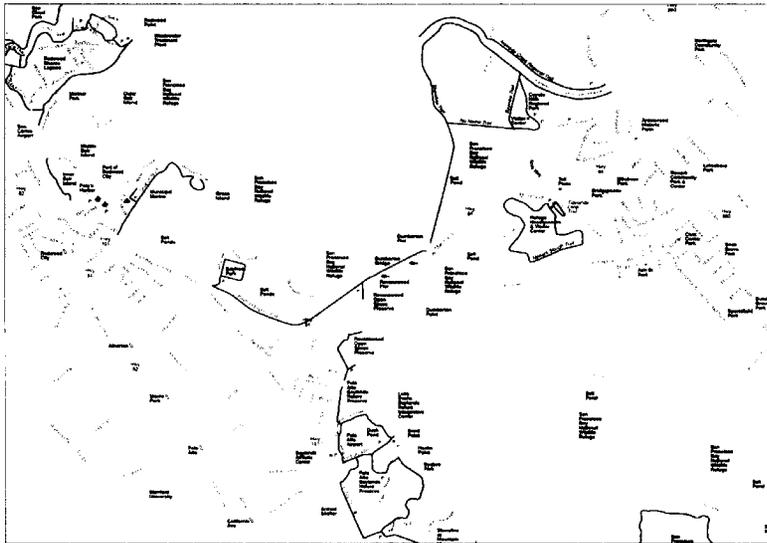
Exhibit A: San Francisco Bay Trail Within the Vicinity of the San Francisco Public Utilities Commission's Water System Improvement Program



LANDMARKS PRESERVATION ADVISORY BOARD

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TEL: 415.575.6916 | FAX: 415.558.6409



12.3-173

September 27, 2007

Mr. Bill Wycko
Acting Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Wycko,

On September 19, 2007, the Landmarks Preservation Advisory Board (Board) held public hearings and took public comment on the Draft Environmental Impact Report (DEIR) for the Water System Improvement Program dated June 30, 2007. After discussion the Board arrived at the following comments:

- The Board suggested including historic trees, garden, and landscaping in the project level evaluation. 01
- Historic and cultural resources were not mentioned at all in Chapter 9, CEQA Alternatives. The Board requests that these resources be included in the impact analysis of this chapter. 02
- The Board recommended that examples of historical materials and equipment that could be salvaged should be included into the mitigation measures. 03
- The Board suggested including in the historical context the opposition of building the system from PG&E, Spring Valley Water Company, and Great Western Power. The Board further recommended looking into the role of the Federal Government in funding part or all of the extension to O'Shaughnessy Dam in the 1930s. 04
- The Board would like to see clarification in the historical property list and confirm that the eligibility information came from SHPO/Feds. 05
- The Board suggested looking at the labor history, and the significance for the project of the population groups that worked on it as part of the historical context statement. 06
- The Board asked for clarification regarding project level impacts and coordination with the National Historic Preservation Act should there be any federal involvement. 07
- The Board stated its interest in ensuring that the water system as a whole as well as interconnected segments be evaluated as potential 08

historic and cultural resources, and that the possible existence of such resources not be lost during individual project level environmental review. 08 cont.

The Board appreciates the opportunity to participate in review of this environmental document.

Sincerely,

Robert Cherny, Vice President Landmarks Preservation Advisory Board



October 1, 2007

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Paul Maltzer
San Francisco Planning Department
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

CITY & COUNTY OF SF
PLANNING DEPARTMENT

Project: SFPUC Water System Improvement Program

Subject: CEQA comments regarding the Draft PEIR for the Water System Improvement Program for the San Francisco Public Utilities Commission

District Reference No: 200701227

Dear Mr. Maltzer:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the project referenced above and concurs with the findings in the Air Quality section of the Draft PEIR.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jon Klassen at (559) 230-5843 and provide the reference number at the top of this letter. 01

Sincerely,

David Warner
Director of Permits Services

Jon Klassen
Arnaud Marjollet
Permit Services Manager

DW: jk

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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Southern Region
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Bakersfield, CA 93301-2373
Tel: (661) 326-6900 FAX: (661) 326-6985

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San Luis & Delta-Mendota Water Authority

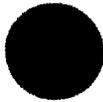


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Westlands Water District

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Kern County Water Agency



3200 Rio Mirada Drive
Bakersfield, CA 93308
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(661) 634-1428 fax



October 1, 2007

San Francisco Planning Department
Attn: Paul Maltzer
Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Maltzer,

The San Luis & Delta-Mendota Water Authority ("Authority"), Westlands Water District ("Westlands"), and Kern County Water Agency ("KCWA") respectfully submit this comment letter on the Draft Program Environmental Impact Report ("Draft PEIR") for the San Francisco Public Utilities Commission's ("SFPUC") Water System Improvement Program ("WSIP").

The Authority, which was formed in 1992 as a joint powers authority, consists of 32 member public agencies,¹ each of which contracts with the United

¹ The member agencies of the Authority are: Banta-Carbona Irrigation District; Broadview Water District; Central California Irrigation District; Centinella Water District; City of Tracy; Columbia Canal Company; Del Puerto Water District; Eagle Field Water District; Firebaugh Canal Water District; Fresno Slough Water District; Grassland Water District; James Irrigation District; Laguna Water District; Mercy Springs Water District; Oro Loma Water District; Pacheco Water District; Pajaro Valley Water Management Agency; Panoche Water District; Patterson Water District; Plain View Water District; Pleasant Valley Water District; Reclamation District 1606; San Benito County Water District; San Luis Canal Company; San Luis Water District; Santa Clara Valley Water District; Tranquillity Irrigation District; Turner Island Water District; West Side Irrigation District; West Stanislaus Irrigation District; Westlands Water District; and Widren Water District.

San Francisco Planning Department
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Page 2

States Department of the Interior, Bureau of Reclamation ("Reclamation"), for supply of water from the Central Valley Project ("CVP"). The Authority's member agencies hold contracts with Reclamation for the delivery of approximately 3.3 million acre-feet of CVP water. Of that amount, the Authority's member agencies use approximately 2.7 million acre-feet of CVP water on agricultural lands within the western San Joaquin Valley, San Benito County, and Santa Clara County, California; 200,000 to 250,000 acre-feet of CVP water for municipal and industrial uses, including those within the Silicon Valley; and approximately 300,000 to 350,000 acre-feet of CVP water for environmental purposes, including for waterfowl and wildlife habitat in the San Joaquin Valley, California.

Westlands, a member of the Authority, is a California water district with a right to receive up to 1,150,000 acre-feet of CVP water annually. Westlands uses this water for municipal and industrial purposes, as well as for irrigation of approximately 500,000 acres on the west side of the San Joaquin Valley in Fresno and Kings Counties. Westlands' farmers produce more than 60 high quality commercial food and fiber crops sold for the fresh, dry, canned, and frozen food markets, both domestic and export. More than 50,000 people live and work in the communities that are dependent on Westlands' agricultural economy.

KCWA is a special act district organized and existing under California Water Code Appendix, Chapter 99 and is the largest agricultural contractor of State Water Project ("SWP") water. KCWA has a contract with the California Department of Water Resources ("DWR") for up to 998,730 acre-feet of SWP Table A water annually. KCWA is a wholesaler of SWP water for both agricultural and municipal and industrial uses. KCWA contracts with thirteen individual water districts in Kern County (also known as "member units") who supply the SWP water directly to water users for agricultural use. KCWA also contracts for the delivery of treated water supplies with four water purveyors who supply water directly to residents of the City of Bakersfield and surrounding areas. The service area for these member units and purveyors encompasses all the territory within the San Joaquin Valley portion of Kern County. The SWP provides a portion of, and in some cases the entire, water supply for approximately 719,000 acres of prime farmland, of which approximately 240,000 acres are permanent crops, and some 500,000 residents of Kern County.

The Authority, Westlands, and KCWA understand and appreciate the efforts of the SFPUC to meet the water demands of its customers. However, any such action must be pursued only after considering the reasonably foreseeable effects of the action, and either mitigating those impacts that are significant or finding that the significant impacts are unavoidable and overridden by the benefit of the actions. The fact that the City and County of San Francisco long ago dammed and diverted flows of the Tuolumne River,

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Attn: Paul Maltzer, Environmental Review Officer
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Page 4

reducing flow in the San Joaquin River and inflow into the Sacramento-San Joaquin Rivers Delta ("Delta"), does not mean that the City and County of San Francisco can now ignore its impacts. The City and County of San Francisco cannot implement its WSIP by increasing its diversions without analyzing the impacts of that action on downstream resources. The Draft PEIR suggests that is exactly what the SFPUC is attempting.

The Draft PEIR contains no meaningful analysis of WSIP impacts on the San Joaquin River or the Delta, a considerable void in analysis for a project that could divert from the Tuolumne River as much as 89,761,996,921 additional gallons of water in a given year. Without such an analysis, the SFPUC cannot determine if the WSIP has significant effects on environmental conditions (habitat, fishery resources, etc.) within the San Joaquin River and the Delta or on water users that depend on either waterbody for their water supply. The lack of analysis also precludes the SFPUC from mitigating its significant impacts or making a statement of overriding consideration, if significant impacts result. Those failures cause the Draft PEIR to violate California Environmental Quality Act ("CEQA").²

In addition, without a proper impact analysis, the SFPUC cannot determine if the WSIP runs counter to its own policy. The SFPUC's "Water Enterprise Environmental Stewardship Policy," a copy of which is attached, contains a commitment to "ensure that all operations of the SFPUC water system . . . protect and restore native species and the ecosystems that support them." Without an accurate understanding of all of the potential impacts of the WSIP, the SFPUC cannot reasonably assess whether the WSIP will protect and restore native species and the ecosystems that support them. In fact, a good first step towards the SFPUC's commitment might be a reduction in the SFPUC's diversions from the Tuolumne River and pursuit of operational plans that reduce San Francisco's dependence on water currently diverted around the periphery of the Delta. Resolution Number 321-07 from the Board of Supervisors for the County and City of San Francisco directed the SFPUC to do just that.

On or about June 12, 2007, the Board of Supervisors for the County and City of San Francisco recognized the importance of the WSIP, but nonetheless

² The failure to analyze impacts to the San Joaquin River and to the Delta has significance for more than just CEQA compliance. To the extent the WSIP impacts the San Joaquin River and/or the Delta, species protected under the federal and state Endangered Species Acts may be affected, an affect that would require additional regulatory compliance with the federal and state Endangered Species Acts.

In addition, based upon an agreement between the City of San Francisco and the United States Department of the Interior ("DOI"), it appears that the DOI may have to undertake a discretionary action, prior to implementing any project that expands, alters, or otherwise modifies SFPUC water and power facilities along the Tuolumne River. If that is the case, the SFPUC should recognize that the DOI will comply with the National Environmental Policy Act, prior to the SFPUC certifying the final program environmental impact report for the WSIP and before the WSIP is implemented.

urged the SFPUC "to fully analyze a water supply alternative in the Program Environmental Report that will not result in increased diversions of freshwater from the Tuolumne River." The Board of Supervisors made its plea after recognizing:

. . . More than half of the Tuolumne River's natural flow is diverted for urban and agricultural use, which has diminished the ecological value of the Tuolumne River watershed and the Sacramento-San Joaquin Delta, and

* * *

. . . Increasing diversion of water from the Tuolumne River watershed could further damage the health of the watershed and jeopardize the fish and wildlife species that depend on the Tuolumne for their survival.

(Board of Supervisors for the County and City of San Francisco, Resolution No. 321-07, a copy of which is attached.) Without a proper impact analysis, the SFPUC cannot determine if the WSIP or the alternatives considered in the Draft PEIR are consistent with the clear policy direction provided by the Board of Supervisors for the County and City of San Francisco.³

I. Overview Of CEQA And The Requirements Of An Environmental Impact Report

CEQA operates as an important means for holding public officials accountable and for ensuring public participation in the planning process. When "CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmental action, and the public, being duly informed, can respond accordingly to action with which it disagrees." (*Laurel Heights Improvement Assn. v. Regents of the University of California*, (1988) 47 Cal.3d 376, 392.) "[A] paramount consideration is the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of any contemplated action and have an appropriate voice in the formulation of any decisions." (*Environmental Planning and Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350, 354.) "[T]he requirement of a detailed environmental statement helps insure the integrity of the process of decision by precluding stubborn problems or serious criticisms from being swept under the rug." (*Sutter Sensible Planning, Inc. v. Board of Supervisors* (1981) 122 Cal.App.3d 813, 820.)

³ The resolution of the Board of Supervisors for the County and City of San Francisco raises the questions whether the Draft PEIR must consider an alternative that reduces the amount of water the SFPUC currently appropriates from the Tuolumne River.

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The California Supreme Court has explained that the environmental impact report is the "heart of CEQA" and an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." (*Laurel Heights Improvement Assn., supra*, 47 Cal.3d at p. 392.) The environmental impact report is the "primary means" of ensuring that the public agencies "take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state." (*Ibid.* [quoting Pub. Resources Code, § 21001, subd. (a)].) An environmental impact report must identify the environmental effects of a proposed project and evaluate ways of avoiding or minimizing those effects if they are significant. (Pub. Resources Code, §§ 21002, 21002.1(a), 21061.)

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II. Specific Deficiencies Of The Draft PEIR

The Draft PEIR suffers from three main legal deficiencies. First, the Draft PEIR fails to adequately analyze impacts of the WSIP caused by reduced inflow to the San Joaquin River and thus the Delta. Second, the Draft PEIR uses an outdated environmental baseline to evaluate impacts. Third, the Draft PEIR includes an alternatives analysis that relies upon speculation and questionable assumptions. To be legally sufficient, the Draft PEIR must be revised to address these inadequacies.

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A. The Draft PEIR Ignores Potentially Significant Impacts To The Delta

Through inappropriate, unsupported, and unlawful conclusions, the Draft PEIR fails to consider potentially significant adverse impacts. The Draft PEIR concludes: "the effects of the WSIP on flow along San Joaquin River and in the Delta would be *less than significant*, and no mitigation measures would be required." (Draft PEIR, p. 5.3.1-39.) The basis for that conclusion is two-fold. The San Joaquin River impact discussion in the Draft PEIR explains:

The [State Water Resources Control Board] has established flow objectives for the San Joaquin River at Vernalis, just upstream of the Sacramento–San Joaquin Delta. Almost all of the time, the reductions in San Joaquin River flow attributable to the WSIP would not be sufficient to cause flow in the river at Vernalis to fall below the objective. Very infrequently, following protracted droughts, reductions in San Joaquin River flow attributable to the WSIP would be sufficient to cause flow in the river at Vernalis to fall below the objective. Under these circumstances, the [United States Bureau of Reclamation], the agency responsible for compliance with objectives for the San Joaquin River, would be expected to increase releases from New Melones Reservoir on the Stanislaus River to meet the flow objectives at Vernalis. Thus, the WSIP would not alter flow in

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the San Joaquin River below its confluence with the Tuolumne River such that it would be substantially outside the range experienced under existing conditions nor result in a violation of flow objectives.

(Draft PEIR, p. 5.3.1-38.)

Using similarly faulty logic, the Draft PEIR explains why the WSIP will have less than significant impacts on the Delta:

The reductions in flow in the Tuolumne River below La Grange Dam attributable to the WSIP would also reduce inflow to the Sacramento–San Joaquin Delta. The [State Water Resources Control Board] has established objectives for Delta outflow as measured at Chipps Island, just upstream of Suisun Bay. Almost all of the time, the reductions in Delta inflow attributable to the WSIP would not be sufficient to cause Delta outflow to fall below the objective. Very infrequently, following protracted droughts, reductions in Delta inflow attributable to the WSIP would be sufficient to cause Delta outflow to fall below the objective. Under these circumstances, [Reclamation] and DWR, the respective operators of the Central Valley Project and [SWP], would be expected to decrease their diversions so that the Delta outflow objectives were met. Thus, the WSIP would not alter flow in the Sacramento–San Joaquin Delta such that it would be substantially outside the range experienced under the existing condition.

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(Draft PEIR, pp. 5.3.1-38-39.) The Draft PEIR does not analyze impacts of CVP or SWP re-operation or impacts if the CVP or SWP is not re-operated. CEQA requires those evaluations.

1. CEQA Requires Analysis Of All Reasonably Foreseeable WSIP-Related Impacts

CEQA requires the evaluation of all reasonably foreseeable environmental impacts of a proposed project. (CEQA Guidelines § 15151 ["An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible".]) "[A]n EIR must include an analysis of the environmental effects" when they are "a reasonably foreseeable consequence of the initial project." (*Laurel Heights Improvement Assn., supra*, 47 Cal.3d at 396.) "Reasonably foreseeable requires the use of 'best efforts' to find out and disclose impacts." (CEQA Guidelines § 15144). To satisfy that well established rule, the Draft PEIR must consider the effects of reduced San Joaquin River flow and Delta inflow attributable to the WSIP. The Draft PEIR does not do that.

San Francisco Planning Department
Attn: Paul Maltzer, Environmental Review Officer
October 1, 2007
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Prior to rendering its "less than significant effects" conclusion, the Draft PEIR states that reductions in San Joaquin River flow and inflow to the Delta, at times, "would not be sufficient to cause flow in the river at Vernalis to fall below the objective" and "would not be sufficient to cause Delta outflow to fall below the objective." (Draft PEIR, p. 5.3.1-38.) Those statements do not constitute analyses, as required by CEQA. Nowhere in the Draft PEIR does it explore whether changes in flow impacts resources, notwithstanding satisfaction of water quality objectives. It simply makes the statements and provides the conclusion.

Similarly, the Draft PEIR states that reductions in Tuolumne River flow caused by the WSIP, at times, would be sufficient to cause exceedances of one or more water quality objectives. (Draft PEIR, p. 5.3.1-38-9.) The Draft PEIR again fails to consider the effects of those exceedances. Instead, it simply states that Reclamation and/or DWR will re-operate the CVP or SWP to ensure the WSIP does not: (1) alter San Joaquin River flow or Delta inflow beyond the range experienced under existing conditions, or (2) cause a violation of water quality objectives.⁴ These statements do not amount to impact analyses.

The failure of the Draft PEIR to consider impacts with the San Joaquin River and the Delta is made more egregious by discussions in the Draft PEIR that suggest proper analyses of the impacts would show potentially significant effects. The Draft PEIR recognizes that its water diversion will increase salinity levels of all affected waterways, (Draft PEIR, pp. 5.3.3-7, 5.3.3-20), and increase the temperature of the water in the San Joaquin River and the Delta. (Draft PEIR, pp. 5.3.3-14, 5.3.3-15-16, 5.3.3-19.)

In sum, none of the statements cited above absolve the SFPUC from responsibility for analyzing the potential significant environmental impacts resulting from the WSIP.⁵ None of these statements support a conclusion that the

⁴ The SFPUC is well aware the San Joaquin River Agreement settled issues, at least in part, related to responsibility for the San Joaquin River Portion of the 1995 Water Quality Control Plan for the Bay Delta Estuary objectives that can be reasonably met through flow measures. The agreement was based on hydrologic and regulatory conditions at the time. If the SFPUC intends to implement the WSIP, as described in the Draft PEIR, by shifting additional burdens to Reclamation, the basis for the San Joaquin River Agreement could be undermined and may cause the agreement to terminate. The San Joaquin River Agreement, in section 13.2, provides: "It is the intent of all parties that this Agreement is to be re-negotiated and/or terminated, as appropriate, in the event of changes to the basic water supply, water rights, assumptions, facts or circumstances upon which this Agreement is based".)

⁵ In the Draft PEIR, the Authority, Westlands, and KCWA found no analysis or modeling results of conditions in the San Joaquin River of the Delta, including analysis of impacts to biological resources in those water bodies. That failure must be caused by the conclusion in those sections addressing water supply and system operations that flow in the San Joaquin River and Delta will not change beyond the range experienced under existing conditions, or cause a violation of water quality objectives. As presented herein, that failure and the underlying basis for it render the Draft PEIR legally inadequate.



05 cont.

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impacts of the WSIP would be *less than significant*. The cursory fashion in which the conclusion is rendered deprives the public of informed participation and precludes informed decision-making. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722; *Galante Vineyards v. Monterey Peninsula Water Management Dist.* (1997) 60 Cal.App.4th 1109, 1117; *Berkeley Keep Jets Over the Bay Committee v. Board of Port Commissioners of the City of Oakland* (2001) 91 Cal.App.4th 1344, 1355.)

2. CEQA Requires Analysis Of The Impacts Of Reclamation's Reasonably Foreseeable Efforts To Mitigate For Reduced Delta Inflows

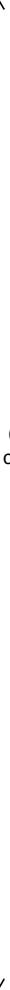
The Draft PEIR must evaluate whether Reclamation and DWR can and will re-operate the CVP and SWP to mitigate for the impacts of the WSIP on San Joaquin River flow and Delta inflow. The Draft PEIR must also evaluate the environmental impacts of the CVP and/or SWP re-operations if the re-operation occurs. The Draft PEIR does not conduct any of those analyses. Such failures violate CEQA. (CEQA Guidelines 15126.4(a)(1)(D); *Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99 [Court required the EIR to evaluate the environmental impact of the off-set water credits being used as mitigation].) The Court of Appeal has recently instructed:

When agencies--even agencies with antagonistic positions--comply with their responsibilities for environmental review under CEQA, their action should be taken after consideration of the other's position and, as a result, their action may achieve a measure of coordination that would not have existed without that review.

(*County Sanitation District No. 2 of Los Angeles County et al. v. County of Kern* (2005) 127 Cal.App.4th 1544, 1603.) Currently, unevaluated but reasonably foreseeable impacts will result from changes in CVP and/or SWP re-operations resulting from the WSIP.

As an example, to mitigate for the impacts of the WSIP on San Joaquin River flow, the Draft PEIR states Reclamation "would be expected to increase releases from New Melones Reservoir on the Stanislaus River." (Draft PEIR, p. 5.3.1-38.) That CVP facility currently provides for flood control, irrigation and municipal water supplies, hydroelectric production, recreation, and fish and wildlife enhancement. Increased uses of water from New Melones Reservoir for WSIP mitigation would compromise Reclamation's ability to meet those existing purposes it serves. The Draft PEIR does not consider what might occur to those purposes if CVP water is used for WSIP mitigation.

Similarly, the Draft PEIR states, when reductions in Delta inflow attributable to the WSIP would be sufficient to cause Delta outflow to fall below the objective,



05 cont.

12.3-178

Reclamation and DWR "would be expected to decrease their diversions so that the Delta outflow objectives were met." (Draft PEIR, p. 5.3.1-38-9.) The referenced diversions are used to provide water to approximately 25 million people and to approximately 3 million acres of highly productive farm land. Many of the water demands of those people and lands are not being met and may not be met in the future. To the extent the WSIP further restricts those diversions, the unmet demand would only increase and potentially a significant effect would result. As examples, reduced water supply available to those people and lands, could: (1) compromise CVP and/or SWP facilities (the integrity of conveyance and storage facilities), (2) cause land to be fallowed, and thus degrade air quality through increased dust, or (3) could increase groundwater use, and thus result in land subsidence. Again, none of the aforementioned impacts are identified, no less considered.

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cont.

B. The Baseline Is Inaccurate And Irrelevant

The Draft PEIR uses 2005, the date of the Notice of Preparation, as the environmental baseline. However, since 2005, environmental conditions and regulatory requirements within the San Joaquin River watershed and Delta ecosystem have changed dramatically. Without updating the baseline accordingly, the analyses in the Draft PEIR are legally insufficient under CEQA.

An accurate baseline is essential to the preparation of a legally sufficient environmental impact report. The purpose of the baseline is to provide a point from which the WSIP can measure its impacts from the "real conditions on the ground." (*City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 246; *County of Amador v. El Dorado County Water Agency* 1999 76 Cal.App.4th 931, 952.) Thus, an accurate baseline ensures that the Environmental Impact Report measures the impacts of a proposed WSIP on the existing environment, not a hypothetical situation. (*Id.*, at p. 955.)

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While the environmental setting at the time the Notice of Preparation is published will "normally" constitute the baseline for a project, courts will find environmental impact reports legally inadequate when the conditions at the time of the Notice of Preparation no longer adequately reflect environmental conditions. (See *Friends of Eel River v. Sonoma County Water Agency* (2003) 108 Cal.App.4th 859, 874-875 [court directed decertification of an environmental impact report when the environmental setting did not accurately include impacts of water diversions on salmonid species or proposals to curtail diversions]; *Mira Monte Homeowners Association v. County of Ventura* (1985) 165 Cal.App.3d 357, 363-367 [court directed decertification of an environmental impact report when, several days prior to County approval, evidence was presented that existing impacts on wetlands were greater than initially identified and no new environmental analysis was conducted].)

12.3-179

[T]he date for establishing baseline cannot be a rigid one. Environmental conditions may vary from year to year and in some cases it is necessary to consider conditions over a range of time periods. In some cases, conditions closer to the date the project is approved are more relevant to a determination of whether the project's impacts will be significant.

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cont.

(*Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 125.) Because of the significant changes in environmental conditions and regulatory requirements within the San Joaquin River watershed and Delta ecosystem, the "normal" baseline cannot apply. Persisting with the use of an obsolete baseline provides responsible decision-makers and the public with an inaccurate description of the environmental impacts of the WSIP. A more current baseline is required.

C. Alternatives Analysis Unlawfully Relies Upon Questionable Assumptions And Pure Speculation

The analysis of alternatives is an essential and important component of an environmental impact report. (*Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal.App.4th 892, 919-20.) "[I]t is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant impacts of such projects..." (Pub. Resources Code, § 21002.) "Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process." (*Planning and Conservation League, supra*, 83 Cal.App.4th at p. 920.)

07

The Draft PEIR's failure to adequately analyze WSIP-related impacts caused by reduced flows in the San Joaquin River and inflows into the Delta renders the alternatives analysis incomplete and legally deficient. Additionally, much of the alternatives analysis relies on questionable assumptions and pure speculation. For example, in rejecting the No WSIP Alternative as the environmentally superior alternative, the Draft PEIR concludes that, due to aging infrastructure and facilities, a similar level of repairs will be required regardless of whether the WSIP is implemented. (Draft PEIR, p. 9-95.) The Draft PEIR offers the same explanation for why the No WSIP Alternative will not ultimately reduce impacts on the Tuolumne River, as the need for additional water deliveries will ultimately lead the SFPUC or its customers to develop additional facilities which, in turn, will have additional and potentially more significant environmental impacts. (*Ibid.*) The problem with relying on assumptions of future conditions is that they simply may not come to pass. CEQA requires more than this type of guesswork. It mandates "comparative, quantitative analysis" of the relevant environmental impacts of the project alternatives. (*Kings County Farm Bureau v. City of Hanford*)

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(1990) 221 Cal.App.3d 692, 733-734.) Absent such an analysis, the Draft PEIR is ⁰⁷legally insufficient. ↑ cont.

The Authority, Westlands, and KCWA appreciate your consideration of these comments and ask the SFPUC to take all necessary steps to correct the deficiencies in the Draft PEIR before it is certified and a decision is made on the WSIP.

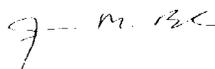
Very truly yours,



Daniel G. Nelson
Executive Director
San Luis & Delta-Mendota Water Authority



Thomas W. Birmingham
General Manager
Westlands Water District



James M. Beck
General Manager
Kern County Water Agency
Attachments

12.3-180



SAN FRANCISCO Public Utilities Commission

Water Enterprise Environmental Stewardship Policy

Published: 09/12/2006 | Updated: 03/06/2007
Published By: Land and Natural Resources Division

SFPUC Water Enterprise Environmental Stewardship Policy

FINAL
June 27, 2006

The mission of the San Francisco Public Utilities Commission (SFPUC) is to serve San Francisco and its Bay Area customers with reliable, high quality, and affordable water and wastewater treatment while maximizing benefits from power operations and responsibly managing the resources—human, physical, and natural—entrusted to its care.

The purpose of the Water Enterprise Environmental Stewardship Policy is to establish long-term management direction for SFPUC-owned lands and natural resources affected by operation of the SFPUC water system within the Tuolumne River, Alameda Creek, and Peninsula watersheds. Environmental stewardship is a fundamental component of the Water Enterprise mission, and a responsibility of all Water Enterprise employees.

The SFPUC is committed to responsible natural resources management that protects and restores viable populations of native species and maintains the integrity of the ecosystems that support them for current and future generations. The SFPUC strives to become a leader in science-based and collaborative environmental stewardship in order to continue providing high-quality and reliable water supplies to San Francisco residents and SFPUC customers.

Watershed Management

The SFPUC will proactively manage the watersheds under its responsibility in a manner that maintains the integrity of the natural resources, restores habitats for native species, and enhances ecosystem function. The SFPUC believes that partnership and collaboration with agencies, communities and other stakeholders in the watersheds are the best way to maximize investment in environmental stewardship.

To the maximum extent practicable, the SFPUC will ensure that all operations of the SFPUC water system (including water diversion, storage and transport), construction and maintenance of infrastructure, land management policies and practices, purchase and sale of watershed lands, and lease agreements for watershed lands protect and restore native species and the ecosystems that support them. In cases where the SFPUC has limited control, but where impacts of its operations exist, the SFPUC will work with responsible parties to improve ecosystem health.

It is the policy of the SFPUC to operate the SFPUC water system in a manner that protects and restores native fish and wildlife downstream of SFPUC dams and water diversions, within SFPUC reservoirs, and on SFPUC watershed lands. Releases from SFPUC reservoirs will (consistent with the SFPUC mission described above, existing agreements, and applicable state and federal laws), mimic the variation of the seasonal hydrology (e.g., magnitude, timing, duration, and frequency) of their corresponding watersheds in order to sustain the aquatic and riparian ecosystems upon which these native fish and wildlife species depend.

The SFPUC will actively monitor the health of the terrestrial and aquatic habitats both under SFPUC ownership and affected by SFPUC operations in order to continually improve ecosystem health. Relevant performance measures and indicators will be used to evaluate the effectiveness of implementation efforts under this policy.

Other SFPUC Lands

Rights of way and properties in urban surroundings under SFPUC management will be managed in a manner that

protects and restores habitat value where available, and encourages community participation in decisions that significantly interrupt or alter current land use in these parcels.

Public Involvement

The SFPUC believes that public engagement is key to ensuring successful environmental stewardship. To that end, SFPUC will:

- Solicit input and collaboration on its plans and implementation from all interested and affected parties, including local, state, and federal agencies, non-governmental organizations, and members of the public.
- Encourage development of recreational uses that are compatible with protection and restoration of natural resources, and water quality and water supply reliability goals.
- Include communities and stakeholders in monitoring, restoration and other stewardship activities to the extent possible.
- Provide information and reports to the public that track activities related to implementation of this policy.

Implementation Strategy

The Environmental Stewardship Policy will be integrated into SFPUC Water Enterprise planning and decision-making processes and also directly implemented through a number of efforts. Below are examples of areas for integration and specific activities that will further the goals of this policy.

- Implementation and updating of the existing Alameda and Peninsula Watershed Management Plans.
- Development of Habitat Conservation Plans for the Alameda and Peninsula Watersheds.
- Development and implementation of the Watershed and Environmental Improvement Program, which will cover the Tuolumne River, Alameda Creek, and Peninsula watersheds.
- Development of the Lake Merced Watershed Plan.
- Active participation in local forums, including coordination with Yosemite National Park Service and Stanislaus National Forest in the Tuolumne River watershed, the Tuolumne River Technical Advisory Committee, the Alameda Creek Fisheries Restoration Workgroup, the Pilarcitos Creek Restoration Workgroup, and the Lake Merced Task Force.
- Integration of the policy into the Water System Improvement Program and individual infrastructure projects (i.e., repair and replacement programs).
- Ensure that the policy guides development of project descriptions, alternatives and mitigation for all SFPUC projects during the environmental review process under CEQA and/or NEPA.
- Seek support for and encourage all employees to integrate environmental stewardship into daily operations through communication and training.

12.3-181

Location:

http://sfwater.org/detail.cfm/MC_ID/20/MSC_ID/357/C_ID/3159

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Amendment of the Whole
in Board
6/12/07

FILE NO. 070754

RESOLUTION NO.

321-07

1 [Resolution urging environmental analysis of water supply alternatives that will not increase
2 diversions of freshwater from the Tuolumne River and urging active implementation of
3 conservation and recycled water programs.]
4

5 **Resolution urging the San Francisco Planning Department to fully analyze a**
6 **water supply alternative in the Program Environmental Impact Report that will**
7 **not result in increased diversions of freshwater from the Tuolumne River and**
8 **urging the San Francisco Public Utilities Commission to undertake and**
9 **implement water conservation and recycled water programs.**

10 WHEREAS, San Francisco is committed to building a sustainable urban
11 environment, and

12 WHEREAS, San Francisco's environmental code encompasses objectives in a
13 broad range of topic areas including air quality, biodiversity, energy, climate change,
14 ozone depletion, food and agriculture, hazardous materials, human health, parks, open
15 spaces and streetscapes, solid waste, transportation, water and wastewater, and

16 WHEREAS, Impacts due to San Francisco's use of natural resources extend
17 beyond the city limits, and

18 WHEREAS, San Francisco owns and operates a water system that serves not
19 only the city residents but also approximately 1.7 million people in San Mateo, Santa
20 Clara, Tuolumne and Alameda Counties, and

21 WHEREAS, The San Francisco Public Utilities Commission is engaged in a
22 critically important Water System Improvement Program to repair, replace and
23 modernize aging and seismically vulnerable elements of its water system, and

24 WHEREAS, The San Francisco Planning Department will soon issue a draft
25 Program Environmental Impact Report, which is a necessary component for

Supervisors Sophie Maxwell, Aaron Peskin, Jake McGoldrick, Ross Mirkarimi, Tom Ammiano, Chris Daly
BOARD OF SUPERVISORS

12.3-182

1 the speedy implementation of the Water System Improvement Program, and
2 WHEREAS, Approximately eighty five percent of the water delivered by San
3 Francisco's water system is diverted from the Tuolumne River, and

4 WHEREAS, More than half of the Tuolumne River's natural flow is diverted for
5 urban and agricultural use, which has diminished the ecological value of the Tuolumne
6 River watershed and the Sacramento-San Joaquin Delta, and

7 WHEREAS, Increasing diversion of water from the Tuolumne River watershed
8 could further damage the health of the watershed and jeopardize the fish and wildlife
9 species that depend on the Tuolumne for their survival, and

10 WHEREAS, Other California cities have successfully shown that they can
11 reliably serve water to increasing populations without increasing the diversions from
12 the natural environment by their conservation efforts; and

13 WHEREAS, It is in the City's and the public's long term interest to develop
14 alternative methods of meeting the demand for water, including using less water and
15 recycling water for various uses; and

16 WHEREAS, The San Francisco Public Utilities Commission is well-positioned to
17 undertake efforts to educate the public about water conservation and develop
18 programs to conserve water and recycle water; and

19 WHEREAS, Providing the Board of Supervisors and the citizenry with the most
20 well documented analysis of a water supply alternative that will not result in increased
21 diversions is in the public interest, now, therefore be it

22 RESOLVED, That the San Francisco Board of Supervisors urges the San
23 Francisco Public Utilities Commission to explore and develop water supply options that
24 will not divert more water from the Tuolumne River, including but not limited to (1)
25 aggressively and actively developing and encouraging water conservation and

1 efficiency efforts, and (2) examining and developing programs and projects for the use
2 of recycled water; and be it further

3 RESOLVED, That the San Francisco Board of Supervisors, pursuant to the
4 City's stewardship responsibility for the Tuolumne River, urges the San Francisco
5 Planning Department and Public Utilities Commission to fully analyze a water supply
6 alternative in the Program Environmental Impact Report that will not result in increased
7 diversions of freshwater from the Tuolumne River.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails
Resolution

File Number: 070754

Date Passed:

Resolution urging the San Francisco Planning Department to fully analyze a water supply alternative in the Program Environmental Impact Report that will not result in increased diversions of freshwater from the Tuolumne River and urging the San Francisco Public Utilities Commission to undertake and implement water conservation and recycled water programs.

June 5, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

June 5, 2007 Board of Supervisors — CONTINUED AS AMENDED
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

June 12, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew

June 12, 2007 Board of Supervisors — ADOPTED AS AMENDED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Jew

File No. 070754

I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on June 12, 2007 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengaz
Interim Clerk of the Board

JUN 22 2007

Date Approved

for Gavin Newsom

12.3-183



September 28, 2007

San Francisco Planning Department
Att: Paul Maltzer, Environmental Review Officer, WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Response to Draft Program Environmental Impact Report for Water System Improvement Program

Mr. Maltzer:

The City of Sunnyvale appreciates the opportunity to review and respond to the Draft Program Environmental Impact Report (DPEIR) for Water System Improvement Program (WSIP). We have a few comments on the content of the report, and would also like to add some information related to the City of Sunnyvale (Sunnyvale), as a water customer of San Francisco.

Sunnyvale is correctly identified as a wholesale water customer of the San Francisco Public Utilities Commission (SFPUC). As a wholesale water customer, Sunnyvale is providing a complete response, from the perspective of an agency that is impacted by, and that benefits from, the work proposed for the WSIP.

The DPEIR correctly presents information previously provided to the SFPUC by Sunnyvale. However, we noted that the actual data on the Sunnyvale recycled water program differs notably from the 2004 projections. The Summary of Recycled Water Potential Table for the SFPUC Service Area (Table E.2.5 of the PEIR) lists Sunnyvale's 2004 projection as 0.81 MGD. The City's strong commitment to water conservation is demonstrated by the fact that the actual recorded water savings for 2004 was 1.5 MGD. Sunnyvale is committed to maintaining the 1.5 MGD level through 2030.

General Comments on Draft Program Environmental Impact Report

The City has general comments on the following issues:

- a) Timing of Construction (scheduling) - given the safety concerns associated with the potential loss of water and the unpredictability of earthquakes, the Sunnyvale strongly advocates for the work being completed as soon as possible.

ADDRESS ALL MAIL TO: P.O. BOX 3707 SUNNYVALE, CALIFORNIA 94088-3707
TDD (408) 730-7501

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San Francisco Planning Department, Att: Paul Maltzer
Response to Draft Program Environmental Impact Report for Water System Improvement Program (continued)
September 28, 2007

- b) Schedule of Priorities (scheduling) - given the high earthquake potential, Sunnyvale advocates for the most vulnerable aspects of the work being completed first. Specifically, Sunnyvale recommends that the Calaveras Dam Replacement (SV-2) and the Seismic upgrade of BDPL pipelines Nos. 3 and 4 at Hayward Fault (BD-3) be the first projects completed.
c) System Capacity (design) - Sunnyvale recommends that the conveyance system be designed to provide the full volume of the future projected need for the Bay Area. While most of the existing system appears to already provide such capacity, the volume of water that flows through the system should be based on policy and programs, not limited by capacity.
d) Amount of Water Made Available (policy) - this issue can be discussed and resolved during construction of the system upgrades. Sunnyvale recommends an overall plan be established for all of the parties that draw from the water systems, including the urban and rural users, and a plan be established to maximize the utility of the water used while maintaining basic levels in the streams to address environmental concerns. The plan may include urban users subsidizing the development of new water management systems in rural areas to reduce the overall water demand through alternative irrigation systems.
e) Environmental Impacts (policy) - the City of Sunnyvale has established policy that promotes environmental protection. While the proposed plan does not suggest any direct impacts, or proposed mitigations, on the city, Sunnyvale is generally in support of solutions that minimize negative impacts on the environment, including severe impacts on stream flow. Given its commitment to supporting alternative energy sources, Sunnyvale is also concerned with negative impacts on hydrogenation, which is a green power source.
f) System Maintenance (budgeting) - Sunnyvale strongly recommends that a maintenance fund be established that requires an annual set-aside that is allocated to a fund earmarked exclusively for the on-going maintenance of the system. The fund should be restricted to a fixed schedule of maintenance and not be allowed for any other type of expenditure, including standard system operations.

Smart Growth, Water Conservation, Recycled (Reclaimed) Water

As referenced above, Sunnyvale has a long-standing commitment to environmental stewardship. Sunnyvale has incorporated "Smart Growth" and natural resource conservation into our current land use planning and development policies and practices. Smart Growth principles include promoting higher density growth in urban areas, including Mixed Use and Transit-Oriented Developments. This discourages sprawl,

which protects the environment through reduced impacts on air quality, non-renewable fuel sources, and increased per capita water use.

During the public discussion on the DPEIR, concerns have been raised about the Bay Area's need for additional water from the Tuolumne River/Hetch-Hetchy System. The need is based on projected growth. California is expected to continue to grow significantly over the next 20 years. Encouraging those newer Californians to live in urban areas is the best way to minimize the overall environmental impact of that growth.

Even if the population growth is less than anticipated, more housing is being planned for in the South bay to address the current housing demand. The ratio of jobs to housing in Santa Clara County is too high -- people who work in the area are unable to live here. That results in long commutes, which negatively impacts air quality and promotes the use of fossil fuels. At full build-out of the General Plan, Sunnyvale would have 2.5 jobs per housing unit. In the past five years, Sunnyvale has approved higher density residential and industrial developments in the Downtown Specific Plan, Moffett Park Specific Plan, El Camino Specific Plan, and is currently reviewing a proposal for a Mixed Use combining zoning district. Sunnyvale is seeking to build more housing units, and recently approved a General Plan Amendment from Industrial to Residential to allow for residential development on approximately 60 more acres.

Consistent with its strong commitment to environmental stewardship, Sunnyvale has utilized and promoted a number of programs aimed at water conservation. These include water saving devices, pricing techniques, educational programs, converting a wastewater treatment plant to a recycled water production plant and distribution system, and other similar programs, policies and services. The City of Sunnyvale's Water Resources Sub-Element of the General Plan includes the following goal and action statement:

GOAL A: MANAGE FUTURE DEMANDS TO ENSURE THAT EXISTING AND REALISTICALLY CERTAIN FUTURE WATER SUPPLIES WILL BE ADEQUATE.

Action Statements A.1b Support reasonable, cost-effective, and environmentally sound water supply enhancement projects of San Francisco Water Department / Hetch-Hetchy and Santa Clara Valley Water District.

In support of water conservation, Sunnyvale is active in the following areas (also see attached folder with services and program information):

Water Supply and Distribution Program

- Residential plumbing retrofit – providing low-flow showerheads and aerators to residents free of charge.
- System water audits, leak detection, and repair – all accounts are metered for accountability purposes, with the City offering help to residential customers to

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determine if a leak exists in the property and implementing a city-wide pipeline leak detection program.

- Metering with commodity rates – the City encourages all new commercial, industrial, and multi-family developments to have dedicated water meters and separate accounts for landscape irrigation.
- Conservation pricing – Sunnyvale has an inverted rate structure involving different rate blocks with a minimum rate for basic water requirements, and rate increases for increased water usage.
- Recycled water – the City set up a pipeline system based on the concentration of potential customers, and has converted approximately 90 private and public sites, including the City's Baylands Park and municipal golf course, to recycled water for irrigation of turf areas.
- Regulated conservation in landscaping – Ordinance 19.38.070 regulates conservation in landscaping and applies to new and rehabilitated landscaping for public and private development projects.
- Water Waste Prohibition – the City has a list of non-essential water practices that are prohibited in Sunnyvale, such as broken or defective plumbing, sprinklers, watering or irrigation systems; water escaping and flowing into gutters or streets; using potable water to wash sidewalks, driveways, etc. unless an automatic shutoff valve is used; installation of a single pass cooling process in new construction; etc.
- Public information and school education programs – Sunnyvale offers a water pollution and conservation outreach program spearheaded by Water Pollution Control Plant staff. The program teaches youth about the function of wastewater treatment, water pollution prevention and water conservation. The Creek Education program, also offered, provides watershed, urban runoff, water pollution prevention, storm water, creek education, water conservation and wastewater information
- The City also participates in several of Santa Clara Valley Water District's water conservation programs, such as the Irrigation Technical Assistance Program (ITAP) for conservation in large landscapes; water audits for residential, industrial and commercial customers; High Efficiency clothes washer rebates; Ultra-Low-Flow toilet replacement programs; etc.
- In City facilities, install and use conservation devices, including new and experimental units where practical for benefit, study and publicity, as appropriate. Including, waterless and/or low water urinals, auto flush toilet valves, auto on/off faucets, low flow faucets
- The Public Safety Department has instituted the use of synthetic hose, to replace cotton jacketed hose, eliminating the need to use water to wash the hose.
- The Public Safety Department trains emergency responders to make runoff management at emergencies a high priority and to take early steps to mitigate fluid and other contaminant infiltration into the storm drains by means of dykes, adsorbents and other appropriate methods.

08 cont.

12-3-185

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San Francisco Planning Department, Att: Paul Maltzer
Response to Draft Program Environmental Impact Report for Water System
Improvement Program (continued)
September 28, 2007

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Sunnyvale Supports the Water System Improvement Program

Sunnyvale strongly supports the WSIP being implemented as soon as possible to enable the Sunnyvale to continue to meet our goals. Sunnyvale has actively engaged in water conservation programs for several years and is committed to continuing those programs. Sunnyvale will advocate to ensure that sufficient water is available to allow for:

- Future residential growth (already committed through our General Plan),
- Maintenance and/or growth of a healthy economy, and
- Emergency needs.

09

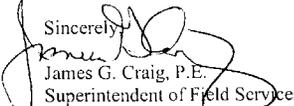
Based on the brief summary of information provided in the DPEIR, it appears that the "environmentally superior alternative" may provide the basis for the best solution. Sunnyvale supports the Bay Area Water Supply and Conservation Agency (BAWSCA) proposal that the final PEIR further describe and analyze the Modified WSIP Alternative (the environmentally superior alternative). This may include exploring the feasibility of the Bay Area water customers financially supporting water conservation with agricultural interests on the lower Tuolumne River that will result in no net decrease in flows on the lower Tuolumne. BAWSCA's proposal is to conserve even more agricultural water, resulting in a net increase in lower Tuolumne River flows. This additional water could then be deployed at times and in volumes most beneficial for salmon and other important species in the lower Tuolumne River. Under BAWSCA's proposal, the implementation of the WSIP can improve, rather than degrade, flow conditions in the lower Tuolumne River.

10

Again, thank you for the opportunity to review and comment on the Draft Program Environmental Impact Report for the San Francisco Public Utility Commission's Water System Improvement Program. If there is need for any follow-up questions, discussion, or notification, please contact the following:

Jamie McLeod, Associate Planner
(408) 730-7429, jmcleod@ci.sunnyvale.ca.us

James Craig, Superintendent of Field Services
(408) 730-7558, jcraig@ci.sunnyvale.ca.us

Sincerely,

James G. Craig, P.E.
Superintendent of Field Services

ENCL: Water Conservation Programs and Services Information Folder

Cc: Marvin A. Rose, Director of Public Works
Hanson Hom, Director of Community Development



RECEIVED

AUG 31 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.F.A.

L_StanCoERC

CHIEF EXECUTIVE OFFICE
Richard W. Robinson
Chief Executive Officer

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

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Assistant Executive Officer

Stan Risen
Assistant Executive Officer

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P.O. Box 3404, Modesto, CA 95353-3404
Phone: 209.525.6333 Fax 209.544.6226

STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE

August 27, 2007

Paul Maltzer
Environmental Review Officer
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

SUBJECT: **ENVIRONMENTAL REFERRAL – AVAILABILITY OF DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SAN FRANCISCO PUBLIC UTILITIES COMMISSION'S WATER SYSTEM IMPROVEMENT PROGRAM**

Mr. Maltzer:

The Stanislaus County Environmental Review Committee (ERC) has reviewed the subject project and has the following comment(s):

- Applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study and Phase II study if necessary) prior to the issuance of a grading permit. If zoning will change from agricultural land to a commercial or residential zoning designation, DER recommends research be conducted to determine if pesticides were used on the proposed development site; if confirmed, suspect site areas should be tested for organic pesticides and metals. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.
- The construction/improvement project areas within Stanislaus County may be located at identified soil and/or groundwater contamination sites. Prior to construction activities, contact DER Site Mitigation staff and provide APNs or addresses to verify.

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12-3-186

ENVIRONMENTAL REFERRAL – AVAILABILITY OF DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SAN FRANCISCO PUBLIC UTILITIES COMMISSION’S WATER SYSTEM IMPROVEMENT PROGRAM Page 2

- Applicant should contact the Department of Environmental Resources regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify the Department of Environmental Resources relative to: (Calif. H&S, Division 20)
- A. Permits for the underground storage of hazardous substances at a new or the modification of existing tank facilities.
- B. Requirements for registering as a handler of hazardous materials in the County.
- C. Submittal of hazardous materials Business Plans by handlers of materials in excess of 55 gallons or 500 pounds of a hazardous material or of 200 cubic feet of compressed gas.
- D. The handling of acutely hazardous materials may require the preparation of a Risk Management Prevention Program that must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section 302.
- E. Generators of hazardous waste must notify the Department of Environmental Resources relative to the: (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices.
- F. Permits for the treatment of hazardous waste on-site will be required from the Hazardous Materials Division.
- G. Medical waste generators must complete and submit a questionnaire to the Department of Environmental Resources for determination if they are regulated under the Medical Waste Management Act.

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cont.

The ERC appreciates the opportunity to comment on this project.

Sincerely,

Raul Mendez, Senior Management Consultant
Environmental Review Committee

cc: ERC Members

12.3-187



Stanford University
Land, Buildings & Real Estate
Sustainability and Energy Management
UTILITIES DIVISION
327 BONAIR SIDING, 2ND FLOOR
STANFORD, CA 94305-7272

Mr. Paul Maltzer
Environmental Review Officer
Water System Improvement Program PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

October 1, 2007

Comments Sent by Email: wsip.peir.comments@gmail.com

Subject: Review Comments from Stanford University about San Francisco's Draft Program Environmental Impact Report for its Water System Improvement Program

Dear Mr. Maltzer,

Stanford University (Stanford) appreciates the opportunity to comment on the comprehensive draft Program Environmental Impact Report (PEIR) that the Planning Department has prepared for the Water System Improvement Program (WSIP) being developed by the San Francisco Public Utilities Commission (SFPUC). Stanford supports the WSIP goals and objectives and the comprehensive PEIR document analyzing the environmental impacts and program alternatives, as required by law. Stanford also supports the Bay Area Water Supply and Conservation Agency's (BAWSCA) proposal that the final PEIR further describe and analyze the draft PEIR's Modified WSIP Alternative (the environmentally superior alternative) and that the final PEIR explore the feasibility of the Bay Area water customers financially supporting water conservation with agricultural interests on the lower Tuolumne River that will result in no net decrease in flows on the lower Tuolumne.

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Our comments are presented below as general and specific comments. In the specific comments we also provide additional information about Stanford's Water Conservation and Reuse Program to ensure that SFPUC has accurate information when questions about Stanford's water use and efficiency arise.

General Comments and Stanford University's Interest in the WSIP

As a member of BAWSCA, Stanford strongly supports sustainable water supplies and efficient water use. Stanford uses SFPUC water for its domestic water supply, and separately provides non-potable water for irrigation, and groundwater for back-up and emergency supply.

1. **For a reliable regional water supply system, SFPUC needs to proceed with the WSIP to restore and improve its infrastructure and reservoir capacity.** It is imperative for Stanford as well as Stanford University Hospitals – that are regional emergency support facilities - to have a reliable, high quality domestic water supply for the health and safety of its community, including a large dependent resident student population that relies on the university for their critical needs. Academic, research, and support facilities also rely on the high quality of the SFPUC water.

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- 2. **AB 1823 warns that following a major earthquake, the flow of water to communities could be disrupted for 30 to 60 days.** Given this warning, the PEIR should more clearly emphasize the critical importance of completing the WSIP and improving the system's current vulnerability to seismic events. Improvement of the SFPUC water supply system will protect health and safety of the people that live in the Bay Area today. We fully support BAWSCA comments, which discuss this critical issue of seismic risk in more detail. 03
- 3. **Stanford is already managing an aggressive water conservation and reuse program in addition to using non-potable water for irrigating most (85%) campus grounds.** We meter practically every building and outdoor use on campus and track our water use and trends. However, given that Stanford has been rigorous and successful in its conservation by reducing its water use by 17 percent, demand hardening has resulted and even with improving technologies, fewer opportunities remain for reducing water use, particularly during drought or other water shortage conditions. We clarify in the comments below our water-efficiency program and reasons for requesting additional domestic water allocation from SFPUC. 04

Specific Comments and Clarification about Water Use at Stanford University

- 1. **Losing access to SFPUC domestic water for 30 days or more will create severe operating problems for Stanford.** Following a major earthquake, SFPUC estimates potential for outages on the SFPUC water system from 30 to 60 days. (AB1823)
- 2. **The heating and cooling needs for both Stanford University and the two Stanford Hospitals are primarily served by a Central Energy Facility (CEF).** This facility produces chilled water and steam supply that are distributed throughout the campus. The chilled water serves more than 85 of the largest academic and medical research buildings, as well as Stanford hospitals and clinics. The steam supply serves more than 100 major facilities. These campus cooling and heating distribution systems are very efficient and save water as well as energy. The efficiency of the CEF chilled water and steam production is highly reliant on the high quality SFPUC water. The CEF produces the chilled water and steam and it uses almost 25 percent of our purchased SFPUC domestic water. Cooling towers at the CEF recycle the cooling water 10-15 times, which is extremely efficient and made possible by carefully managing the very high quality (low mineral content) SFPUC water. If we use groundwater (from wells with high mineral content) or recycled water (due to its low quality) we could only cycle the water one to two times in the cooling towers before it would be discharged to the sanitary sewer. Therefore, using groundwater or recycled water would likely require at least five times more water as well as more energy for pre-treatment and pumping. 05
- 3. **Stanford University Hospitals (Stanford Hospital and Clinics and Lucille Packard Children's Hospital) are considered critical emergency facilities** by Santa Clara County Office of Emergency Services and the community served by these hospitals depend on these critical facilities in times of disaster. Disruption to the SFPUC water supply would disrupt the cooling and steam supply, both critical for routine and emergency operations at the hospitals.
- 4. **Stanford University research and support facilities also rely on the cooling and steam as well as high quality SFPUC water supplies.** Computer hubs, pumps, electron microscopes, lasers, and virtually all research processes requiring cooling could not function without the chilled water supply used for re-circulating cooling systems. The consequences of lack of chilled water could significantly impact or shut down space

cooling for temperature-controlled laboratory environments and computer server clusters, as well as building equipment requiring cooling.

- 5. **Stanford research facilities, similar to other biotech and hi-tech facilities in the San Francisco Bay Area, also use high-level water purification systems.** Water purification systems such as reverse osmosis (RO), are most efficient when using very high quality SFPUC water, typically using about two gallons of SFPUC water to produce one gallon of high purity water. However, with worse quality water, such as groundwater or recycled water, the process would use much more water and energy and require significant pre-treatment, which in turn would generate more water waste.
- 6. **Although Stanford has wells for emergency backup supply, using this hard, high mineral-content groundwater for an extended period, at a minimum, could cause operational problems,** as well as permanent damage to critical facilities and equipment, and would definitely use significantly more water.
- 7. **Stanford's Water Conservation and Recycling Programs reduce water demand and result in efficient water use.** We strongly support multi-faceted water efficiency programs for the long-term to effectively and sustainably manage our limited water supplies. Stanford has one of the most aggressive conservation programs in San Francisco Bay Area (Stanford adopted an enhanced plan C, with 20 site-specific water conservation measures). Since 2000, Stanford has reduced its domestic water use by 17 percent, due to water conservation. We are also constructing a recycled water facility for flushing high efficiency toilets and urinals, and some non-potable uses. Stanford is also the first university to join the California Urban Water Conservation Council as of December 2006.
- 8. **Stanford has retrofitted 95 percent of academic bathroom fixtures and is already irrigating 85 percent of the academic campus grounds with non-potable water.** Although continued maintenance of existing systems and improvements in technology will help improve efficiency in new and existing buildings, Stanford has already instituted the majority of its water conservation measures. We front-loaded water conservation and efficiency to enable us to stretch our water supply for new academic and student housing buildings.
- 9. **Stanford is fortunate to have diverse water supplies that enable us to manage water resources judiciously through smart growth, aggressive conservation, using recycled water, and local groundwater resources.** However, we may not be able to fully rely on the non-potable local supplies during droughts. Moreover, efficient on-going water management, by its virtue (maximizing efficiency), does reduce further opportunities for additional significant reductions.
- 10. **Stanford is committed to managing water resources efficiently; however, continued campus growth will require an additional high quality water supply.** Currently, Stanford purchases only 1.3 percent of total SFPUC-supplied water for wholesale customers. Although we will continue stretching our water supplies through efficient use, the campus is gradually growing. Our current General Use Permit (GUP) was approved by Santa Clara County in 2000, and we are confident that we can remain within our current allocation for the duration of the GUP; however, in order to assist with SFPUC planning, we project and are requesting an additional 1.167 mgd to cover the post-GUP period.

12-3-188

05 cont.

11. **Unlike much of the Bay Area, Stanford has not built out its facilities and will continue to grow to meet the need for high quality educational and research facilities.** In addition, the current GUP includes a significant increase in the 24-hour resident population on campus by providing more on-campus housing for graduate students and faculty. Stanford houses 95 percent of its undergraduate students and is planning to increase housing to house 80 percent of its graduate students. This increase in on-campus housing does not reflect population growth, but rather gives current commuting students and faculty the opportunity to become residents. This change has clear environmental benefits in reducing commuter traffic, but we believe that increasing the number of on-campus residents will likely increase water use.

12. **Campus growth will increase on the main campus.** Stanford is planning smart growth by concentrating its development in the main campus to minimize regional impacts from commute traffic. Stanford is also providing easy alternative (pedestrian, bicycle, or community shuttle) access to its facilities for the campus community.

13. **Per capita use is not an appropriate metric for Stanford's water consumption, because nearly 50 percent of Stanford's domestic water is used for academic research and support facilities.** Specifically, almost 25 percent of the domestic water use is for the CEF equipment and space cooling and heating of academic and hospital buildings. The SFPUC water is the most efficient (energy and water-efficient) to use for the CEF due to its high quality and the ability to recycle it 10-15 times. Additionally, 22 percent of Stanford's domestic water is used by research and academic programs. Another 27 percent is used by student housing and dining, mostly indoors, and only 23 percent is used by residential leaseholders.

14. **Problems with Mandatory Rationing to a Maximum of 20 Percent System-wide** (PEIR: p. 3-33)
 We believe that conservation and recycling are key to stretching water supplies; however, we also see a need for fair treatment of utilities that can demonstrate that their water conservation programs are resulting in water savings. To this end, Stanford University and others who have invested their resources in reducing water consumption have to be treated fairly when mandates for water use reductions are dictated for all water agencies. These mandatory reductions should recognize and incorporate a separate scale for reductions for agencies that have hardened their water use due to demonstrated significant efficiencies from long-term conservation. As other agencies move forward with aggressive conservation, the ability of the region to accept 10 to 20 percent cutbacks without additional allocations could be very problematic.

Stanford is fortunate to have other sources of water in addition to the high quality domestic water from SFPUC. However, our local water sources are limited, especially during droughts, and also require prudent management. We need to reserve well capacity for emergency supplies, not routinely use them, in order to preserve aquifer supplies during droughts. Reduction in availability of non-potable water or groundwater would significantly impact Stanford's flexibility in managing water supplies and further increase reliance on SFPUC domestic water supply. Stanford's non-potable water supply would be limited or possibly not available during droughts; therefore we would expect this reduction in local water availability to be factored into regional mandatory use reduction formulas.

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- Factors negatively affecting availability of Stanford's local supplies include:
- Drought impacts on Stanford's non-potable water supply for irrigation.
 - Potential regulatory requirements reducing availability of local water.
 - Potential over-reliance and overuse of groundwater, reducing groundwater supply.

06
cont.

Thank you for this opportunity to comment on SFPUC's WSIP and the comprehensive PEIR document. We look forward to working with SFPUC to ensure this important program is implemented without delay.

Sincerely,



Clifford (Mike) Goff
 Director of Utilities
 Stanford University

Cc: Art Jensen
 Chris Christofferson
 Charles Carter



TUOLUMNE COUNTY CHAMBER OF COMMERCE

222 South Shepherd Street, Sonora, CA 95370 • (209) 632-4212 • Fax (209) 632-8068
Web page: <http://www.tochamber.com> • email: info@tochamber.com



TUOLUMNE UTILITIES DISTRICT

18885 NUGGET BLVD • SONORA, CA 95370
(209) 532-5536 • Fax (209) 536-6485

DIRECTORS

Barbara Balen
James Costello
Joseph Day, PhD
Ralph Rutherford, M.D.
Delbert Roleii

October 1, 2007

Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Maltzer:

The Tuolumne County Chamber of Commerce is opposed to the San Francisco's Public Utilities Plan (SFPUC) to take more water from the Tuolumne River. 01

On March 14, 2007 the Chamber Board of Directors adopted a policy statement on water that "Strongly supports improving the state's surface water storage capacity." It also state's the importance of protecting existing water sources in the county. 02

We support the alternatives identified in your draft document that protect the Tuolumne River from new diversions. Requiring more water conservation, efficiency, and recycling is the best way to lessen impacts on the Tuolumne River while promoting a sustainable water plan for agencies supplied all or in part by the San Francisco Water System. 03

The Chamber also believes the SFPUC should adopt a policy of reducing diversions from the Tuolumne River and do a watershed study to assess the environmental impacts of the WSIP. 04

Sincerely,

George Segarini
President & CEO

12.3-190

September 28, 2007

Mr. Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: San Francisco Public Utilities Commission – Water System Improvement Program;
Program Environmental Impact Report (PEIR)

Dear Mr. Maltzer:

The Tuolumne Utilities District (TUD) respectfully submits the following comments on the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP) PEIR. TUD will be actively engaged in all hearings, proceedings, permitting and future actions related to this project.

TUD is the agency responsible for providing water supply to a population of 44,000 in Tuolumne County. As such, TUD is primarily concerned with continued water supply availability in the County of Origin to support current and future economic growth and ecosystem health. It is the position of TUD that the continued export of water from the County of Origin to serve the unrelenting growth in the Bay Area, particularly outside of the boundaries of the City and County of San Francisco, is both irresponsible and in conflict with the provisions of its entitlements under the Raker Act.

Given the current state of water crisis in the state, responsible public water agencies are adopting and implementing regional and interregional water management strategies which balance the needs of all water consumers, including the environment. It is prudent water management to plan for diversification of the community's water supply portfolio.

The PEIR is severely limited in its alternatives development with regard to supply diversification. For each supply alternative, the analysis seems to assume that the proposed project or program must meet the increased water supply objective on its own, rather than considering a diversified mix of smaller scale conservation, desalination, interconnection, groundwater sources, increased recycling as well as limiting, versus prohibiting, increases in wholesale purchase requests. For example, the PEIR neglects to evaluate the opportunity to install a smaller, year-round desalination facility in conjunction with a water recycling program which irrigates only agricultural lands, commercial and industrial landscaping. 01

The PEIR addresses only the negative political and economic impacts associated with denying future wholesaler purchase requests. The PEIR disregards the opportunity to evaluate 02

limiting new purchase requests which could be based on the level at which its wholesaler perform with regard to conservation and recycling efforts. Limiting new purchase requests will result in increased public acceptance of recycled water use and enhanced tolerance of aggressive conservation measures.

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cont.

It is our understanding that on October 18, 2005, the County of Tuolumne submitted numerous comments and concerns for consideration during the public scoping process in preparation for the WSIP - PEIR. TUD agrees with and supports the October 18, 2005 County comments and supports their concerns and position stated in their September 25, 2007 PEIR response as well.

03

Upon review of the draft PEIR, we find that although many of the County's comments were discussed in the PEIR analysis, their concerns were not adequately addressed, and the findings and conclusions made in support of the recommended alternative lack adequate evaluation and consideration as follows:

- 1) **Water conservation and water recycling** - The PEIR estimates that requests to wholesale agencies to implement conservation measures at 20% during drought will result in a commensurate 20% reduction in supply needs. Unless conservation measures are strictly enforced and set at a higher percentage than the desired 20% conservation policy goal, it is highly unlikely that a 20% usage reduction will occur. The percentage of water usage reduction during conservation measures should be validated in the PEIR using industry standards, which are typically based on the water year rather than an arbitrary percentage.

04

In addition, the PEIR assumes demand hardening during water conservation without documentation to show that hardening is occurring, or validation of the level at which its wholesale agencies are currently enforcing conservation, or the level of customer performance during previous conservation measures.

The PEIR further states the assumption that water conservation and recycling can partially, but not fully meet the WSIP delivery reliability and water supply performance objectives. This assumption was developed based on cursory input from the wholesale customers, rather than research, analysis and presentation of factual data. No tables or data are included in the PEIR showing:

- a) The current level of water conservation and customer performance in each of the agencies served,
- b) The maximum possible level of conservation prior to demand hardening.
- c) The Average Daily Dry Weather flows into the wastewater plants in each of the wholesaler communities,
- d) The amount of treated wastewater effluent currently discharged into local waterways and the bay from each of the wastewater facilities,
- e) Total amount of treated effluent currently available for use on recycled water projects,
- f) Location of recycled water facilities and possible expansion areas,

- g) An inventory of park, agricultural, industrial and commercial facilities which can be easily converted to irrigation with recycled water.

04
cont.

Lacking the information detailed above, the maximum potential supply of recycled and conserved water to offset demand can not be accurately determined. Therefore, the PEIR does not adequately meet the requirement of the Raker Act to utilize local water sources before increasing Tuolumne diversions, nor does it adequately evaluate the positive and negative impacts of reduced wastewater discharges into receiving waters throughout the Bay Area.

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In Chapter 9, the PEIR places negative public perception of the use of recycled water in a higher priority position, to avoid, versus the significant negative environmental impacts identified through increased diversions from the Tuolumne River.

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- 2) In its consideration of year-round desalination, the emphasis in the PEIR again appears to be in avoiding public acceptance concerns and cost avoidance rather than maximizing local water sources. The estimated environmental impacts of the desalination plant are overstated without substantive study or data presented.

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- 3) The PEIR discusses the possibility of interconnection with the Santa Clara Valley Water District (SCVWD), but rejects this option due to the fact that water from SCVWD is only available during wet years, when it is not needed. The PEIR does not evaluate the option of charging the groundwater basin with water from the SCVWD during wet years, but rather contemplates the use of water received during wet years through transfer agreements with MID and TID to charge the groundwater basin.

08

In addition, the PEIR contemplates the transfer of water from the Modesto Irrigation District (MID) and Turlock Irrigation District (TID) during drought and non drought years to meet demand objectives. The entire factual basis for the recommended alternatives contained in the PEIR is flawed, as it is based on water to be transferred from a variety of public agencies, under agreements not yet consummated. The agencies from which the water transfers are contemplated:

- a) May or may not have the legal authority to approve such transfers;
- b) May not have adequate water supply or water rights to accomplish the transfer during all years, including drought;
- c) Do not have adequate infrastructure in place to deliver the water and construction of such may be determined impractical;
- d) May not approve water transfer agreements altogether or may impose conditions which considerably modify the flow assumptions, viability of alternatives and mitigation measures contained in the PEIR.

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Although not revealed or evaluated in the PEIR, the MID/TID water transfers are presumably occurring as the result of proposed infrastructure improvements to convey water from the Oakdale Irrigation District's (OID) main canal on the Stanislaus River to the Modesto Reservoir. This water supply in Modesto Reservoir is proposed to be used to offset impacts to the Tuolumne River below New Don Pedro, caused by increased diversions from the

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COMMENT CARD

Tuolumne River by the SFPUC above Don Pedro. Any water use from the Stanislaus River to meet the SFPUC demand objectives must be disclosed and evaluated in the PEIR.

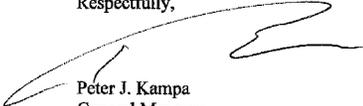
In addition, without knowing the terms and conditions of agreements to be reached in the future with MID, TID and OID, it is impossible to adequately evaluate the environmental impacts of any related projects or water transfers.

The PEIR develops and supports critical project alternatives and mitigation measures which are based on the assumed success of these transfer agreements. A minimum of three water agencies in TID, MID and OID must publicly discuss and approve such agreements with the SFPUC before the alternatives analysis contained in the PEIR can be considered valid.

The Raker Act at Section 9(h) specifically mandates the beneficial use of water which San Francisco has or may acquire in the future, prior to increasing its use of water from the Tuolumne River. As previously stated, the SFPUC has available to it many options for increasing its own supply including aggressive water conservation practices implemented and enforced in accordance with industry standards, as well as a stable source and increasing supply of recycled water.

The recommended alternative in the PEIR is based on flawed analysis which lack supporting data, is intended for cost avoidance and convenience of the SFPUC customers, and containing projects which incite the least local political controversy, all at the expense of the County of Origin of the Tuolumne River. Additional diversions from either the Tuolumne or Stanislaus Rivers will be vigorously opposed by the Tuolumne Utilities District.

Respectfully,



Peter J. Kampa
General Manager

- Cc: Barbara Balen, President Tuolumne Utilities District
 Senator Dianne Feinstein
 Senator Barbara Boxer
 Congressman George Radanovich
 Senator Dave Cogdill
 Assemblyman Tom Berryhill
 Stan Kellogg, Tuolumne County Farm Bureau
 Dan Gallery, District Legal Counsel
 Mark Thornton, Chairman, Tuolumne County Board of Supervisors
 Jim Goodrich, General Manager GCSB

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SEP 10 2007
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

San Francisco Planning Department
Draft Program Environmental Impact Report on the
SFPUC's Proposed Water System Improvement Program
Sonoma, CA. September 5, 2007



Thank you for participating in tonight's public hearing on the Draft Program Environmental Impact Report (PEIR) for the San Francisco Public Utilities Commission's proposed Water System Improvement Program (WSIP). This is also an opportunity for you to submit written comments on the Draft PEIR for the proposed WSIP.

Written comments will be accepted through close of business on Monday, October 1, 2007. Written comments may be submitted in one of three ways:

1. Leave your written comments in the designated "Comment Box" tonight. These cards are provided for your convenience.
2. Mail your comments by October 1, 2007 to the San Francisco Planning Department, Attention: Paul Maltzer, Environmental Review Officer, WSIP, PEIR, 1650 Mission Street, Suite 400, San Francisco, CA 94103
3. E-mail written comments to wsip.peir.comments@gmail.com

CONTACT INFORMATION

Name: Barbara Balen - Board President
 Affiliation: Tuolumne Utilities District (TUD)
 Address: 10181 Von Kleiben Rd.
 City, State, Zip: Sonoma, CA 95370
 Phone or E-mail: 709-532-3544

WRITTEN COMMENTS Write clearly and continue on back. Use multiple sheets if needed.

01 I am reinforcing the comments made by my General Manager - Pete Kampa. TUD recycles 100% of our wastewater. SFPUC PEIR needs to focus on aggressively recycling & re-use of existing H2O supply. Spend the \$ on toilet-to-toilet infrastructure. It is your only source of reliable H2O. H2O transfers is paper H2O. The environment is your customer also, it needs water. Tuo. River flows were already established when designated W+S. Thank you.

12-3-192

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Tuolumne County
Administration Center
2 South Green Street
Sonora, California 95370

Phone (209) 533-5521
Fax (209) 533-6549



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OCT 01 2007

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.F.A.

Alicia L. Jamar
Clerk of the Board
of Supervisors

Elizabeth Logan
Assistant Clerk

**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

Elizabeth Bass, *First District*
Mark V. Thornton, *Fourth District*

Paolo Maffei, *Second District*

Teri A. Murrison, *Third District*
Richard H. Pland, *Fifth District*

September 25, 2007

Mr. Paul Maltzer, Environmental Review Officer
September 25, 2007
Page 2

Reduced flows will harm the Tuolumne River's trout, salmon, and steelhead fisheries. The diversion would also degrade whitewater recreation and cause economic harm to Sierra communities that depend on seasonal recreation. San Francisco's proposal to divert more water from the Tuolumne River jeopardizes past conservation efforts and the future health of the watershed. As the County of Origin the County believes it is necessary for the San Francisco Planning Department to consider all mitigating circumstances that will most benefit the County of Tuolumne and choose an alternative that will eliminate the need to increase water diversions from the Tuolumne River, see the attached Board of Supervisor Resolution. If the San Francisco Planning Department proceeds with the selected PEIR alternative, as the preferred alternative, and the San Francisco Public Utilities Commission adopt that alternative to carry out WSIP implementation, the County will evaluate and exercise the necessary legal remedies to see that no further water diversions from the Tuolumne River occur.

02

If you have any questions, please contact Steve Boyack, Natural Resources Analyst at (209) 533-5511.

Respectfully,

Mark V. Thornton, Chairman
Tuolumne County Board of Supervisors

Enclosure

- Cc: Senator Dianne Feinstein
- Senator Barbara Boxer
- Congressman George Radanovich
- Senator Dave Cogdill
- Assemblyman Tom Berryhill
- Craig Pedro, County Administrator
- Gregory Oliver, County Counsel
- Steve Boyack, Natural Resources Analyst
- Bev Shane, Director, CDD
- Pete Kampa, General Manager, TUD

Mr. Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: San Francisco Public Utilities Commission - Water System Improvement Program; Program Environmental Impact Report (PEIR)

Dear Mr. Maltzer:

The County of Tuolumne is submitting PEIR comments on the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP) PEIR. The County will be involved through out the WSIP implementation.

October 18, 2005 this Board submitted scoping comments to be considered by the San Francisco Planning Department when developing the PEIR. That letter is attached for your reference.

It is the County's conclusion that the San Francisco Planning Department, in its preferred alternative identified in the PEIR, has not maximized water conservation and recovery options in lieu of additional water diversion from the Tuolumne River. Our Board was clear in the October 18th, 2005 scoping comment letter that alternatives to additional water diversion must be considered more aggressively than demonstrated in the preferred PEIR alternative.

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This letter is drafted with the intent to identify and reestablish Tuolumne County's primary concerns, as outlined in the October 18th, 2005 letter regarding the WSIP objectives and implementation and recommends that the San Francisco Planning Department seriously consider the County's comments.

12.3-193

Tuolumne County
Administration Center
2 South Green Street
Sonora, California 95370

Phone (209) 533-5521
Fax (209) 533-6549



**BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE**

Liz Bass, *First District*
Mark V. Thornton, *Fourth District*

Paolo Maffei, *Second District*

Jim Peterson, *Third District*
Richard H. Pland, *Fifth District*

October 18, 2005

Mr. Paul Maltzer
San Francisco Planning Department
30 Van Ness, Suite 4150
San Francisco, CA 94103

Re: San Francisco Public Utilities Commission - Water System Improvement Program
Case Number 2005.0159E

Dear Mr. Maltzer:

Thank you for allowing Tuolumne County to submit scoping comments on the San Francisco Public Utilities Commission's Water System Improvement Program (WSIP). The County will be involved throughout the drafting and completion of the Program Environmental Impact Report (PEIR).

During the October 5, 2005 scoping meeting, at the Sonora Opera Hall, several comments were made by governmental and non-governmental agencies, utility municipalities and Tuolumne County citizens. Although many issues and concerns were discussed, the County believes the San Francisco Planning Department must consider the following when developing the PEIR:

1. The PEIR must consider the effects of all potential demand side improvements and other water conservation measures on the overall water needs analysis.
2. The PEIR must consider the effects of all possible waste water recovery and reutilization on the overall water needs analysis.
3. The PEIR must consider the effects of all improvements to capture and store storm water runoff on the overall water needs analysis.
4. The PEIR must consider the effects of inclusion of water desalinization processes on the overall water needs analysis.

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Alicia L. Jamar
Clerk of the Board
of Supervisors

Elizabeth Logan
Assistant Clerk

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5. Through your water needs analysis if you determine that there is a substantial water savings with other water source alternatives, will that result in eliminating of the need to divert additional water from the Tuolumne River or even a lessening of the amount of water currently diverted from the Tuolumne River? 03 cont.
6. Your analysis of additional water diversions from the Tuolumne River needs to address the potential impacts on the County's Tuolumne River water rights as the County of Origin. 04
7. An economic analysis must be completed on the environmental effects on Tuolumne County residents, businesses and tourism prior to approving additional diversions of water from the Tuolumne River. 05
8. If systemwide improvements include system redundancy for health and safety purposes, where is the line drawn between redundancy for health and safety and increasing capacity to serve additional customers? 06
9. How is San Francisco going to integrate and prepare for the variability of the Sierra Nevada snow pack as discussed in the California Water Plan Update? 07
10. How does your plan integrate with the Turlock Irrigation District, Modesto Irrigation District, CALFED - Bay Delta Program, Tuolumne County and any other users of the Great Central Valley Watershed? Your analysis of cumulative impacts must address potential impacts to the Tuolumne River, San Joaquin River and Bay Delta ecosystem caused by reasonably foreseeable projects of other entities. 08
11. How does your plan integrate with emerging Comprehensive Management Plans within Yosemite National Park and Tuolumne River Wild and Scenic Plans within the Stanislaus National Forest and the Yosemite National Park? 09
12. Lower water flows on the Tuolumne River will put greater demands on the Stanislaus River Watershed for meeting recreational and downstream water quality needs. This in turn impacts Tuolumne County, which receives the majority of its drinking water from the Stanislaus River. How does your plan consider the County's long-term sustainable water needs and the needs of down stream users if additional water flows in the Tuolumne River are diverted? 10

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- 13. The sentence at the bottom of page 9 and top of page 11 of San Francisco's Notice of Preparation makes it clear that San Francisco intends to take whatever steps are necessary to retain its filtration exemption. We understand that EPA regulations regarding water quality requirements relating to cryptosporidium are being tightened. The PEIR must discuss alternatives to continued non-filtration, and must discuss mitigation measures if further recreational restrictions are imposed at Hetch Hetchy Reservoir. 11
- 14. A catastrophic fire in the GCSD service area would have devastating impacts on the environment and on the Tuolumne River. You must consider the unique position of the Groveland Community Services District (GCSD) and the fact that its rural water system provides for environmental and residential safety in the event there is a fire. The County believes you must consider lessening the rationing percentage specific to GCSD for safety reasons. 12
- 15. The PEIR must consider the effects of inclusion of surface water and ground water conjunctive use programs that reduce the impacts of seasonal and long-term watershed yields. 13
- 16. Significant groundwater infiltrates into the Mountain Tunnel relative to GCSD's annual water demand, and GCSD pays a surcharge for lost power revenue. GCSD should receive a credit for the infiltration of groundwater that leaves its service area, or the elimination of the surcharge altogether. In addition, the infiltration of groundwater into the water system must be accounted for and addressed in the overall water needs analysis. Furthermore, the PEIR must comply with the Tuolumne County Ordinance Code 13.20 et al. as the Code pertains to groundwater export via San Francisco's water system. 14
- 17. The WSIP calls for the Mountain Tunnel to be closed down for maintenance on an annual basis. The project should assist GCSD in finding a water supply of equal quality during times of tunnel maintenance. 15
- 18. Since most of the improvements to the water system are made west of Groveland, GCSD should not be asked to help pay for those improvements downstream of Groveland. 15
- 19. Since the Raker Act is essentially a federal license and a portion of San Francisco's water system resides on federal land, what role will the National Environmental Policy Act play in this review? 16
- 20. Per the City Charter when will City Officials deem the Hetch Hetchy water and hydroelectric systems complete and merged? 17

County of Origin

The possible reduction in flow of the Tuolumne River could have a profound effect on Tuolumne County's recreation, biological, riparian and economic resources. As the County of Origin the County believes it is necessary for the PEIR to consider all mitigating measures that will have an impact on Tuolumne County. 18

In the past, this Board of Supervisors has brought to the attention of San Francisco the inequities of their method of bidding construction contracts, especially for construction projects that occur in Tuolumne County. This Board considers it necessary for San Francisco to consider equally bids from local Tuolumne County contractors or even give higher consideration for local Tuolumne County contractors who bid on projects within Tuolumne County. 19

The County has not taken an official position regarding the restoration of Hetch Hetchy Valley. The County recommends that an economic analysis of alternatives discussed in the PEIR be broad in scope and include all alternatives for operation of the water system. 20

During the Sonora public scoping meeting, San Francisco staff advised the participants that San Francisco staff will only provide responses to those questions that they determine to be within the scope of the project. The County believes that San Francisco has the responsibility to respond to all of the questions as part of the scoping process.

The County recommends that the San Francisco Planning Department, during its review of the scoping comments, consider the County's issues and concerns during the subsequent drafting of the corresponding Draft Program Environmental Impact Report.

If you have any questions, please contact Steve Boyack, Natural Resources Analyst at (209) 533-5511.

Sincerely,

Paolo Maffei, Chairman
Tuolumne County Board of Supervisors

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No. 140-07

Filed September 25, 2007
By Alvin J. [Signature]
Clerk of the Board of Supervisors

Cc: Senator Dianne Feinstein
Senator Barbara Boxer
Congressman George Radanovich
Assemblyman Dave Cogdill
Senator Charles Poochigian
Mayor Gavin Newsom
San Francisco County Board of Supervisors
C. Brent Wallace, County Administrator
Gregory Oliver, County Counsel
Steve Boyack, Natural Resources Analyst
Bev Shane, Director, CDD
Gary Egger, General Manger, TUD
Jim Goodrich, General Manager, GCSD



RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE

- WHEREAS, California is experiencing a serious water shortage and is likely to continue to do so in coming years due to drought, a long term trend toward warmer rains and earlier mountain runoff, a lack of storage capacity and population growth; and
- WHEREAS, the Tuolumne River is a local, regional, and national treasure from its headwaters high in Yosemite National Park to its confluence with the San Joaquin River and contributes a vitally important water source to the Bay Delta ecosystem; and
- WHEREAS, the waters of the Tuolumne River also sustain Agriculture, rural and urban communities, diverse natural and biological resources, and recreational uses that generate significant revenue for Tuolumne County and downstream economies; and
- WHEREAS, Agriculture is an important industry requiring affordable, high quality, reliable water for food and fiber production, provides critically important sustenance for society in general, and provides numerous quality of life benefits to residents of the region, the State of California and the Nation; and
- WHEREAS, 60% of the Tuolumne River is presently diverted for rural and urban uses and users currently depend on Tuolumne River water for a wide variety of needs including those above; and
- WHEREAS, a section of the upper Tuolumne River is highly valued for its natural resource qualities, public benefit, and has been named a federally-designated Wild and Scenic River, and
- WHEREAS, the Tuolumne River from headwaters to confluence supports a series of unique habitats and diverse biological communities that include migratory waterfowl, peregrine falcons, bald eagles, mule deer, black bears, foothill yellow-legged frogs, Sierra Nevada red fox, rainbow trout, steelhead, and Chinook salmon; and
- WHEREAS recreation including boating and fishing on the Tuolumne River, Cherry Reservoir and Lake Don Pedro are important components of high quality of life experiences for people in the State and for local economies; and
- WHEREAS, the San Francisco Public Utilities Commission (SFPUC) currently diverts 265 million gallons of water from the Tuolumne River daily and its proposed Water System Improvement Program (WSIP) seeks to divert an additional 25 million gallons of water per day from the Tuolumne River; and
- WHEREAS, the SFPUC's WSIP Draft Program Environmental Impact Report (PEIR) fails to properly identify and address all the environmental, Agriculture, rural and urban, and recreational use impacts to Tuolumne County, downstream areas and the San Joaquin Water Shed including the Stanislaus River that would be generated by diverting additional water from the Tuolumne River; and

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WHEREAS, water conservation and efficiency measures are the cheapest, easiest, and least destructive ways to meet demand and extend supply; and

WHEREAS, SFPUC has not demonstrated a sincere and sufficient effort to implement voluntary and/or mandatory conservation measures to the individual, private, and government agencies it serves; and

WHEREAS, significant potential exists for SFPUC to increase present conservation, recycling, and other efficiency measures.

NOW THEREFORE, BE IT RESOLVED that the Tuolumne County Board of Supervisors unequivocally opposes San Francisco PUC's proposed diversion of an additional 25 million gallons of water a day from the Tuolumne River, and

BE IT FURTHER RESOLVED that the County will seek and exercise the necessary legal remedies to see that no further water diversions occur from the Tuolumne River.

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON 9/25/07

AYES:	1st Dist. _____	NOES:	<u>1st</u>	Dist. <u>Bass</u>
	2nd Dist. <u>Mayer</u>		_____	Dist. _____
	3rd Dist. <u>Murphy</u>	ABSENT:	_____	Dist. _____
	4th Dist. <u>Thornton</u>		_____	Dist. _____
	5th Dist. <u>Pland</u>	ABSTAIN:	_____	Dist. _____

12.3-197

Mark V. Thornton

CHAIR OF THE BOARD OF SUPERVISORS

ATTEST: *Alvin Jones*
Clerk of the Board of Supervisors

No. 40-07

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Diana Sokolove <wsip.peir.comments@gmail.com>

Tuolumne River PEIR

Mark Thornton <mvt3@sbcglobal.net>
To: wsip.peir.comments@gmail.com

Mon, Oct 15, 2007 at 9:10 PM

Mr. Paul Maltzer, Environmental Review Officer
San Francisco Planning Department
WSIP PEIR
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: San Francisco Public Utilities Commission (SFPUC) - Water System Improvement Program; Program Environmental Impact Report (PEIR)

Dear Mr. Maltzer:

Thank you for extending the PEIR comment period, but I believe the comment period should have been extended longer.

This letter is to re-enforce my concerns regarding two primary issues:

1. I believe the San Francisco Planning Department (SFPD) has not fully considered the economic impacts to the rafting industry that exists in Tuolumne County should the SFPUC decide to divert an additional 25 million gallons of water per day from the Tuolumne River. 01
2. I believe Tuolumne County has water rights on the Middle Fork and South Fork of the Tuolumne River. The SFPD has not addressed the County's water rights concerns in the PEIR. 02

In addition, I must restate my position that there is not enough baseline data and has not been enough time to gather baseline data to properly analyze the environmental consequences of diverting additional water from the Tuolumne River. Furthermore, not only have you not addressed better water conservation and recycling in the Bay Area you have not answered Tuolumne County's concerns about you arrangement within Lake Don Pedro. 03
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Finally, I believe the PEIR is also deficient in addressing the water diversion and impacts in relation to the goals and strategies of the Sierra Nevada Frame Work and CalFed. Your PEIR should embrace a comprehensive watershed management approach which extends from the Sierra Nevada Crest to the Bay Area. 06

Thank you for addressing these concerns,

Sincerely,

Mark V. Thornton
District 4 Supervisor, Tuolumne County



L_Zone7

ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 PHONE (925) 454-5000

October 1, 2007

RECEIVED

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CITY & COUNTY OF S.F. PLANNING DEPARTMENT

Mr. Paul Maltzer
Environmental Review Officer, WSIP PEIR
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: SFPUC's Water System Improvement Program Draft Programmatic Environmental Impact Report

Dear Mr. Maltzer:

Thank you for the opportunity to review and comment on the Draft Programmatic Environmental Impact Report (DPEIR) for SFUPC's Water System Improvement Program (WSIP). Zone 7 has reviewed the DPEIR in the context of Zone 7's mission to provide drinking water, non-potable water for agriculture/irrigated turf, flood protection, and groundwater and stream management within the Livermore-Amador Valley. We offer the following comments for your consideration.

Zone 7 manages 425 square miles of the Upper Alameda Creek Watershed consistent with flood protection needs and in support of groundwater recharge operations that provide peak period water supply and drought protection in the Livermore-Amador Valley. In working with the resource agencies, Zone 7 has found that stream management projects are frequently viewed holistically and impacts are considered cumulatively. As such, Zone 7 is concerned that impacts to fisheries downstream of its service area are adequately addressed given their indirect effects on the management of upstream water resources.

In Section 5.4.5 - Fisheries of the DPEIR, SFPUC states that because the existing BART Weir is an impediment to steelhead migration, spawning and juvenile rearing, implementation of the WSIP will not impact steelhead migration; therefore, no impact analysis or conclusion was developed in the DPEIR. This conclusion is based on an incomplete assessment of the current status of steelhead fishery in Alameda Creek and the ongoing restoration efforts. The Alameda County Flood Control & Water Conservation District (ACFC&WCD) and the Alameda County Water District (ACWD) currently have an approved agreement to provide for fish passage designs at the BART weir and ACWD's middle inflatable dam to open up steelhead fish passage by the year 2010. In addition, as recognized in the DPEIR, the Alameda Creek Fisheries Restoration Workgroup, in which SFPUC, ACWD, Zone 7, and PG&E are participating, is conducting flow studies to determine flow requirements for a restored steelhead fishery. Finally, there have been annual steelhead sightings documented in the Alameda Creek Flood Control Channel. The implementation of the WSIP will substantially reduce winter and spring flows in Alameda Creek by up to 50% in normal years. This reduction may adversely impact flows available to steelhead that currently access Alameda Creek below the BART weir. Therefore, despite the BART weir being an impediment to upstream steelhead migration, implementation of the WSIP may have an impact on fisheries downstream of the BART weir. With these considerations, it would be prudent for SFPUC to analyze impacts implementing the WSIP will have on steelhead migration, assuming the BART weir could potentially be removed or modified in the future to become less of a migration barrier.

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Mr. Paul Maltzer
San Francisco Planning Department
October 1, 2007
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In addition to the Alameda Creek flow issues, Zone 7 is concerned about two other aspects of the WSIP. About 80 percent of Zone 7's water supply is conveyed by the State Water Project (SWP) through the Delta and into our service area. As a State Water Contractor (SWC), Zone 7 is concerned with impacts to SWP supplies and Delta water quality. SFPUC proposes to reduce inflow into the Don Pedro Reservoir, which will result in reduced inflow into the Tuolumne River and the Delta via the San Joaquin River. Although the flow reductions generally would be less than 200 cfs, there would be several years in which the flow reduction during a single month would exceed 1,000 cfs. A flow reduction of this scale would likely result in significant negative impacts to Delta water quality and/or SWP supply. As a member of the SWC Board of Directors, Zone 7 supports SWC's recommendation that the SFPUC either (1) adopt the Modified WSIP Alternative as the preferred alternative with appropriate supporting environmental analysis or (2) provide an analysis of WSIP implementation attempting to adjust the timing of Don Pedro Reservoir refill both to reduce the scale of monthly flow reductions in Tuolumne River below La Grange Dam and to coincide with periods of excess conditions in the Delta.

02

Finally, Zone 7 supports the exploration of water management techniques such as interconnections and water exchanges among SFPUC and other jurisdictions such as the Dublin San Ramon Service District, which would provide a regional benefit to water supply reliability. Having interconnections with the watersheds or groundwater basins of other jurisdictions may also assist San Francisco in increasing its own water supply reliability.

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Again, we appreciate the opportunity to comment on this document. If you have any questions or comments, please feel free to contact me at your earliest convenience at 925-454-5000 or Mary Lim at 925-454-5036.

Sincerely,
G.F. Duerig
General Manager

cc: Kurt Arends, Vince Wong, Karla Nemeth, David Houts, Mary Lim
Paul Piraino and Eric Cartwright, ACWD
Bert Michalcyzk and Dave Requa, DSRSD